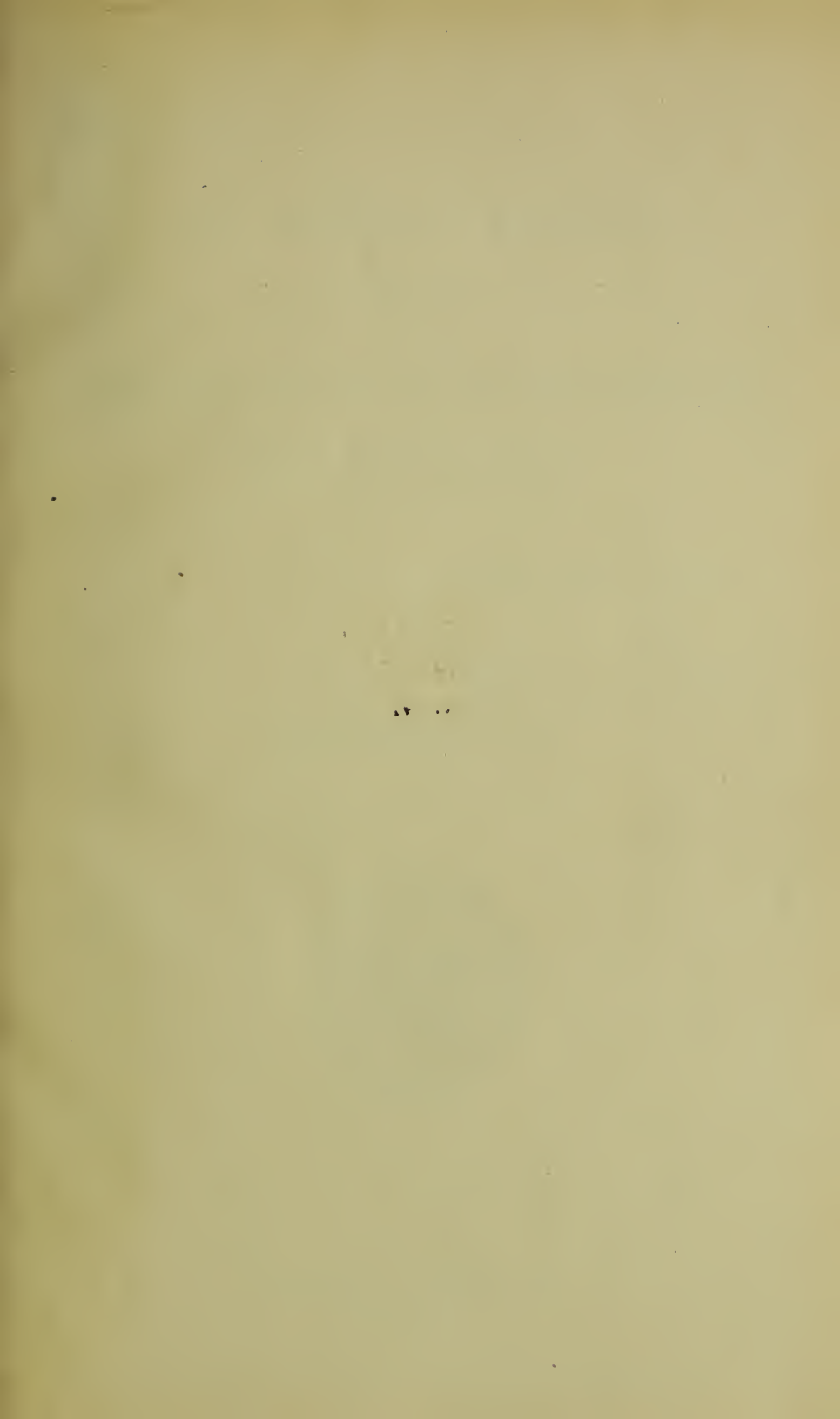


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DECEMBER 1, 1927



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON
1927

INTERSTATE COMMERCE COMMISSION

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GEORGE B. MCGINTY, *Secretary.*

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REPORT OF THE INTERSTATE COMMERCE COMMISSION

WASHINGTON, D. C.,
December 1, 1927.

To the Senate and House of Representatives:

The Interstate Commerce Commission has the honor to submit herewith its forty-first annual report to the Congress. The period covered by this report extends from November 1, 1926, to October 31, 1927, except as otherwise noted.

A statement of appropriations and aggregate expenditures for the fiscal year ended June 30, 1927, is embodied in Part I of this report. The names of employees and the expenditures in detail are set forth in Part II.

BUREAU OF ACCOUNTS

Accounting examinations necessitated by the requirements of section 15a of the interstate commerce act continue practically to monopolize the services of the field force of this bureau. With the number of accountants permitted by the appropriation for the current year we have been able to complete all of the back work referred to in our last report and to increase substantially the number of examinations as compared with previous years. During the year we have made 732 examinations under section 15a of the interstate commerce act and 11 under section 204 of the transportation act, 1920. In addition a substantial number of our field accountants were engaged in an investigation instituted upon our own motion into the matter of refrigeration charges on fruits, vegetables, berries, and melons from the south upon which public hearings are being held. An elaborate study of the cost of this service has been made.

During the year we announced our findings with respect to depreciable property of steam railroads and telephone companies and in an order effective January 1, 1928, prescribed the rules to govern the determination of depreciation charges as required by paragraph (5), section 20, of the interstate commerce act. Our report and

orders aroused interest among various shippers' organizations and commercial bodies which had not previously been represented at the hearings. Some of these organizations petitioned us for a further hearing on the subject. The railroads also requested a rehearing and the telephone companies desired to bring to our attention certain matters which in their judgment warrant some modification of our order. Because of the great importance as well as the complexity of the subject, the increased public interest taken in the matter, and the fact that our report and orders dealt with many matters of detail which had not been adequately discussed at the previous hearings, we have reopened both the railroad and the telephone cases for further hearing. Accordingly we have postponed the effective date of the orders to January 1, 1929. Meanwhile consideration of the rules applicable to depreciation charges of other classes of carriers subject to our jurisdiction will be held in abeyance.

The completion of the work of revising our accounting classifications for steam roads, reference to which was made in our last report, is necessarily dependent on the final conclusions with respect to depreciation and must await the results of the further hearing on that subject. The same organizations which sought a further hearing on depreciation also requested that the revision of the accounting classifications be set down for public hearing in order that they might have an opportunity to lay before us certain rather fundamental changes which they believe should be made in the accounting systems prescribed by us. We have accordingly set this matter also for hearing in connection with the further hearing on depreciation, the two subjects being closely related. It is our intention to have the accounting classifications, as revised, become effective with the date of any depreciation order that may finally be entered.

Tentative drafts of revised classifications for sleeping-car companies and for carriers by water have also been prepared and, subject to necessary limitations with respect to the undetermined question of depreciation, are now under consideration with those classes of carriers.

No general examinations of carriers' accounts were made during the year. This part of our work has been omitted for the past few years owing to the necessity of applying practically all of the appropriation available for field work to accounting examinations necessitated under the recapture clause of section 15a. We have thus been compelled, except to the limited extent that these special examinations serve the same purpose, to forego the policing of carriers' accounts, an important part of our duties under section 20 of the act. Adequate appropriations are indispensable if we are to perform properly

the duties imposed on us by section 20, and to make the special accounting investigations which are frequently required by other phases of our work.

BUREAU OF FINANCE

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

The following is a statement of applications filed during the year for certificates of public convenience and necessity under the provisions of paragraphs (18) to (22) of section 1 of the act, and of the disposition made of applications:

Item	Number	Miles of road
Applications filed:		
For authority to construct new lines or to extend existing lines.....	41	1, 257. 73
For authority to abandon mileage.....	56	792. 26
For authority to operate or to acquire and operate.....	49	15, 340. 51
Total.....	146	17, 390. 50
Certificates issued:		
Authorizing new construction.....	39	1, 027. 270
Authorizing abandonment.....	52	830. 612
Authorizing operation or acquisition and operation.....	42	2, 809. 626
Total.....	133	4, 667. 508
Applications denied:		
For authority for new construction.....	10	593. 86
For authority to abandon.....	6	106. 92
Total.....	16	700. 78
Applications withdrawn:		
For authority for new construction.....	5	319. 19
For authority to abandon.....	3	46. 97
For authority to operate or to acquire and operate.....	1	9. 05
Total.....	9	375. 21
Applications dismissed:		
For authority for new construction.....	3	402. 00
For authority to abandon.....	2	121. 67
For authority to operate or to acquire and operate.....	1	409. 13
Total.....	6	932. 80

A number of applications disposed of during the year were pending on October 31, 1926.

Our certificates authorizing new construction of railway mileage have, since April 4, 1923, included the requirement that carriers shall complete the proposed construction within a specified period, and shall report to us such completion within 15 days thereafter. Based on these reports and on other available information it appears that the status of mileage authorized since the effective date of the act is as follows:

Year ended Oct. 31—	Approximate number of miles				
	Author- ized	Actually constructed	Project held in abeyance	Specified completion period not expired	Project abandoned
1921	404. 70	268. 74	37. 96	-----	98. 00
1922	331. 30	275. 65	53. 90	-----	1. 75
1923	881. 59	726. 08	41. 00	-----	42. 97
1924	1, 318. 35	701. 94	-----	71. 54	104. 00
1925	908. 84	518. 11	-----	512. 41	-----
1926	1, 573. 70	596. 33	-----	388. 27	2. 46
1926	1, 573. 70	596. 33	-----	969. 92	7. 45
1927	1, 027. 27	26. 00	-----	1, 001. 27	-----
Total	6, 445. 75	3, 112. 85	132. 86	2, 943. 41	256. 63

We have continued the practice of enlisting the cooperation of the State commissions in these cases. In 18 of them hearings have been held for us by State commissions, and in most of such cases in which a decision has been reached we have followed their recommendations.

A list of certificates issued will be found in Appendix F.

ACQUISITION OF CONTROL OF ONE CARRIER BY ANOTHER CARRIER

Under the provisions of paragraph (2) of section 5 of the act we are authorized to approve by order the acquisition by one carrier of control of one or more other carriers, whether by lease, purchase of stock, or in any other manner not involving the consolidation of such carriers into a single system for ownership and operation, whenever we are of opinion, after hearing, that such control will be in the public interest, the acquisition to be under such rules and regulations, for such consideration, and on such terms and conditions as shall be found by us to be just and reasonable. Under this paragraph 44 applications have been filed, 55 authorizations have been issued, 3 applications have been denied, and 1 dismissed.

A list of authorizations issued will be found in Appendix F.

We denied the application of the Reading Company for authority to acquire control, by lease, of the line and other transportation property of the Lehigh & New England Railroad Company on account of the transportation situation involved and the proposed price to be paid.

We also denied the application of the Kansas City Southern Railway Company for authority to acquire control of the Missouri-Kansas-Texas Railroad Company by purchase of capital stock, and the application of the latter company to acquire control of the St. Louis Southwestern Railway Company by purchase of capital stock, principally on account of the proposed financial set-up.

A number of applications under this paragraph, involving acquisitions of major importance, are pending.

CONSOLIDATION OF TELEPHONE COMPANIES

Under paragraph (9) of section 407 of the transportation act, 1920, as amended, we have received 26 applications and granted 25, authorizing telephone companies to merge their properties or portions thereof.

A list of authorizations will be found in Appendix F.

RECOVERY OF EXCESS NET RAILWAY OPERATING INCOME, GENERAL RAILROAD
CONTINGENT FUND

To date we have issued seven general orders upon all carriers subject to section 15a of the act. Our last order was dated February 4, 1927, and covered the calendar year 1926. In response to these orders carriers have filed reports showing the following results with respect to excess net railway operating income subject to the recapture clause of the section:

Period	Number of reports	Number of reports in which excess income is reported	Total amount of excess income reported
Applicable period, 1920.....	990	34	\$2,505,006.17
Calendar year 1921.....	972	27	458,535.72
Calendar year 1922.....	928	50	1,865,153.46
Calendar year 1923.....	899	52	6,873,593.92
Calendar year 1924.....	890	24	1,193,860.87
Calendar year 1925.....	863	23	2,261,908.92
Calendar year 1926.....	812	15	1,042,666.35
Total excess.....			16,205,725.41

Many of the reports filed include groups of carriers claimed by respondents to have been under common control and management and operated as single systems within the provisions of paragraph (6) of section 15a. The question of grouping into systems is now under consideration and it is anticipated that definite principles will be established when a decision has been reached in cases now submitted on the formal docket.

We again call attention to the fact that the excess income reported has not been computed upon values fixed by us. Under our orders carriers have been permitted to compute their claimed values upon such basis as they deem proper. Under this procedure many different bases have been used. When values shall have been fixed by us the number of carriers found to have earned excess income and the amount thereof may differ from the results shown in carriers' reports.

In our last report we stated that 198 electric railways claimed exemption from the provisions of section 15a. There has been no material change in this status, and further proceedings will be instituted as may be necessary in individual cases supplementing or applying the principles announced in *Application of Section 15a of the Interstate Commerce Act to Electric Railways*, 86 I. C. C. 751.

During the year 13 carriers paid to us the aggregate amount of \$522,881.77 on account of one-half of their excess income as preliminarily computed by them for the various recapture periods. This amount added to the \$6,618,049.18 paid prior to November 1, 1926, makes the total of such payments \$7,140,930.95. As shown in our previous reports, the bulk of these payments has been made under formal protests and reservations. Consequently, the general railroad contingent fund, made up of such payments, has not been available for the uses contemplated by the statute. As explained in our previous reports, contingent fund moneys are held in the Treasury of the United States as a trust fund for investment in obligations of the United States as required by paragraph (10) of section 15a. The present status of the fund is as follows:

Payments by carriers of excess income-----	\$7, 140, 930. 95
Payments by carriers of interest on overdue payments-----	20, 321. 55
Interest from bank balances-----	2, 062. 30
Interest from investments in obligations of the United States----	801, 629. 40
Total credits to the general railroad contingent fund-----	7, 964, 944. 20

The following obligations of the United States are held for account of the fund:

United States Treasury 4 per cent bonds of 1944-1954-----	\$3, 630, 000
United States 4¼ per cent third Liberty loan bonds of 1928-----	2, 381, 050
United States 4¼ per cent fourth Liberty bonds of 1933-1938-----	1, 836, 800
Total face amount-----	7, 847, 850

Of the formal hearings assigned under this section for the determination of excess net railway operating income 32 have been concluded, 13 are in progress, and 4 have not yet been opened.

A list of carriers which made payments to us during the year on account of excess net railway operating income, showing the amounts paid, will be found in Appendix F.

ISSUANCE OF SECURITIES AND ASSUMPTION OF OBLIGATIONS

We have received 204 applications and 34 supplements thereto under section 20a of the act, and have authorized the issue of securities and the assumption of obligations and liabilities in respect

of securities of others in the following aggregate amounts and for the following purposes:

Preferred stock:

For additions and betterments (nature not fully specified)-----	\$70,000.00	
For reorganization-----	14,180,344.07	
For sale to meet matured funded debt-----	49,036,700.00	
Total-----		\$63,287,044.07

Common stock:

For acquisition of property including equipment-----	\$1,815,000.00	¹ 1,500	
For acquisition of property other than equipment-----	317,000.00		
For acquisition of securities of other companies-----	2,941,150.00		
For additions and betterments (nature not fully specified)-----	19,094,322.97		
For additions and betterments other than equipment-----	13,756,500.00		
For construction of new lines, extensions, facilities, etc-----	276,250.00		
For conversion of unmatured funded debt-----	39,254,200.00		
For exchange for preferred stock-----	81,263,300.00		
For general corporate purposes (not segregated)-----	10,125,000.00		
For payment of advances-----	2,802,700.00		
For reimbursement of treasury for capital expenditures not capitalized-----	63,286,417.03		
For reorganization-----	{ 1,628,700.00	¹ 302,217	
For sale to meet matured funded debt---	35,800,000.00		
For sale to meet unfunded debt-----	250,000.00		
For settlement of judgment on construction claims-----	1,000,000.00		
For stock dividends-----	2,956,000.00		
Total-----			276,566,540.00
			¹ 303,717
Total stock-----			{ 339,853,584.07
			¹ 303,717
Bonds, collateral-trust: For refunding purposes-----			13,156,500.00
Bonds, income:			
For payment of matured and unpaid interest on certain bonds-----	206,250.00		
For reorganization-----	1,500,000.00		
Total-----			1,706,250.00
Bonds, income-mortgage: For reorganization-----			11,000,000.00

¹ Shares of stock without nominal or par value.

Bonds, mortgage:

For acquisition of equipment-----	\$10, 000. 00
For acquisition of property including equipment-----	1, 360, 000. 00
For acquisition of property other than equipment-----	1, 250, 000. 00
For acquisition of securities of other com- panies-----	650, 000. 00
For additions and betterments (nature not fully specified)-----	21, 521, 700. 00
For construction of new lines, extensions, facilities, etc-----	4, 495, 100. 00
For exchange for bonds previously au- thorized-----	105, 355, 500. 00
For exchange for matured funded debt--	8, 362, 000. 00
For exchange for unmatured funded debt--	30, 537, 000. 00
For extension of matured funded debt---	1, 744, 000. 00
For general corporate purposes (not seg- regated)-----	48, 920, 000. 00
For payment of advances-----	42, 489, 300. 00
For pledge-----	80, 356, 646. 00
For refunding purposes-----	25, 647, 000. 00
For reimbursement of treasury for capi- tal expenditures not capitalized-----	82, 224, 100. 00
For reorganization-----	8, 867, 000. 00
For retention in treasury subject to fur- ther order-----	9, 018, 000. 00
For sale to meet matured funded debt--	151, 321, 300. 00
For settlement of judgment on construc- tion claims-----	2, 000, 000. 00
Assumption of obligation and liability in respect of \$77,410,300.	

Total-----	\$626, 128, 646. 00
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Total bonds-----	651, 991, 396. 00
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Debentures: For sale to meet matured funded debt-----	26, 835, 000. 00
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Notes, secured:

For acquisition of property other than equipment-----	\$60, 000. 00
For additions and betterments (nature not fully specified)-----	797, 000. 00
For general corporate purposes (not seg- regated)-----	280, 355. 00
For payment of advances-----	718, 000. 00
For refunding purposes-----	322, 000. 00
For sale to meet matured funded debt---	6, 000, 000. 00
For sale to meet unfunded debt-----	5, 000, 000. 00
Assumption of obligation and liability in respect of \$9,592,000.	

Total-----	13, 177, 355. 00
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Notes, unsecured :

For acquisition of equipment-----	\$3, 820, 701. 56	
For acquisition of property other than equipment-----	860, 000. 00	
For additions and betterments (nature not fully specified)-----	65, 000. 00	
For construction of new lines, extensions, facilities, etc-----	13, 900, 000. 00	
For exchange for unfunded debt-----	21, 500. 00	
For extension of matured funded debt---	2, 600, 000. 00	
For extension of matured unfunded debt---	2, 573, 371. 92	
For general corporate purposes (not seg- regated) -----	550, 415. 00	
For payment of advances-----	2, 748, 285. 87	
For refunding purposes -----	63, 113. 53	
For sale to meet matured funded debt---	100, 000. 00	
Total-----		\$27, 302, 387. 88
Total notes-----		40, 479, 742. 88

Equipment obligations: Assumed by carrier----- 92, 902, 500. 00

Assumption of obligation and liability in respect of
\$820,000.

Receivers' certificates :

For general purposes (not segregated)---	\$682, 000. 00	
For pledge-----	322, 000. 00	
For refunding purposes-----	4, 272, 000. 00	
For sale—proceeds used for capital pur- poses including acquisition of equip- ment-----	30, 000. 00	
Total-----		5, 306, 000. 00
Grand total securities-----		{ 1, 157, 368, 222. 95 1 303, 717

Under paragraph (9) of section 20a certificates of notification of the issue of notes, maturing within two years, in the aggregate sum of \$114,628,526.41 were filed.

The Atlantic Coast Line Railroad Co., the Baltimore & Ohio Railroad Co., the Bangor & Aroostook Railroad Co., the New York Central Railroad Co., and the St. Louis-San Francisco Railway Co. filed applications for authority and were authorized by us to issue common capital stock for various purposes, including investment in the securities and property of affiliated companies, the acquisition of equipment, and the making of additions and betterments. An application of the Southern Railway Co. to issue stock for similar purposes, which was pending at the close of the period covered by our last annual report, has also been granted. One of the purposes for which the Baltimore & Ohio Railroad Co. was authorized to issue its capital stock was to

¹ Shares of stock without nominal or par value.

retire a part of its funded debt. The New York, New Haven & Hartford Railroad Co. made application and was authorized by us to issue preferred capital stock for a like purpose. The Muscle Shoals, Birmingham & Pensacola Railroad Co. made application for authority and was authorized to issue capital stock in payment of advances made by controlling companies for additions and betterments. The foregoing applications cover the issue of common and preferred stock in the aggregate amount of \$143,748,540 and \$49,036,700, respectively. The encouraging feature of this method of financing was pointed out in our thirty-sixth annual report.

Applications for authority to issue common capital stock in conversion of preferred capital stock were made by the Wheeling & Lake Erie Railway Co. and the Western Maryland Railway Co. An application for authority to issue common capital stock for the conversion of bonds was filed by the Erie Railroad Co. These applications, made to meet the demands of holders of the convertible securities, indicate improved credit. All have been granted.

At the beginning of the period covered by this report applications by the Atlanta, Birmingham & Coast Railroad Co., Denver & Salt Lake Railway Co., Georgia & Florida Railroad, Manistee & Northeastern Railway Co., Northwestern Terminal Railroad Co., Peoria Terminal Co., and Stockton Terminal & Eastern Railroad for authority to issue securities in connection with reorganization of predecessor companies were pending. Applications for authority to issue securities for like purposes have been filed by the Arkansas Railroad Co., Atlantic & Western Railway Co., Carolina Southern Railway Co., Chicago, Milwaukee, St. Paul & Pacific Railroad Co., Frankfort & Cincinnati Railroad Co., Gainesville Midland Railroad Co., Mississippi Export Railroad Co., Toledo, Peoria & Western Railroad Co., and Smoky Mountain Railroad. All these applications, except those of the Chicago, Milwaukee, St. Paul & Pacific Railroad Co. and the Atlantic & Western Railway Co., which are pending, have been granted, in some instances with certain modifications and upon terms and conditions deemed necessary and appropriate.

Applications filed by the Great Northern Pacific Railway Co. for authority to issue securities in connection with the proposed acquisition of control of the Northern Pacific Railway Co., the Great Northern Railway Co., and the Spokane, Portland & Seattle Railway Co. are pending.

Pursuant to the policy announced in *Western Maryland Equipment Trust*, 111 I. C. C. 434, we have required that equipment-trust certificates be sold upon bids invited from a number of independent bankers or upon competitive bidding in accordance with our order in *Regulations Relative to Bids of Carriers*, 56 I. C. C. 847, relating to

transactions under the Clayton Anti-Trust Act. This method of disposing of such certificates has, thus far, resulted in a lower cost of money to carriers in financing their equipment needs.

Revised regulations superseding our regulations dated July 22, 1924, and supplements thereto, respecting the filing of applications for authority to issue certificates or assume obligation and liability in respect of the securities of others, were issued under date of February 19, 1927.

INTERLOCKING DIRECTORATES

Under the provisions of paragraph (12) of section 20a of the act it is unlawful for any person to hold the position of officer or director of more than one carrier unless such holding shall have been authorized by our order. During the period covered by this report we received 410 applications from individuals and 14 from carriers under this paragraph. These applications related to 796 different individuals. There were pending on November 1, 1926, 1 application from an individual and 26 applications from carriers. Disposition was made of 442 applications, of which 425 individual applications and 13 carrier applications were granted in whole or in part, and 3 individual applications and 1 carrier application were withdrawn.

As stated in our last report, the effect of the statute can not be measured by the number of cases in which we have refused to grant authority. It may be assumed that in many instances the law has exercised a controlling influence in the selection of individuals for positions with carriers having conflicting interests. Comparatively few applications for authority to serve such carriers have been filed with us.

REIMBURSEMENT OF DEFICITS DURING FEDERAL CONTROL

At the time of closing our last report, 422 carriers had filed claims for reimbursement under section 204 of the transportation act, 1920, aggregating \$28,071,864.18. During the past year 39 additional claims have been received increasing the total amount claimed to \$28,978,173. We have examined and settled 405 claims, including 142 dismissals and 6 withdrawals. The total amount of certificates issued in settlement and partial payment aggregates \$10,897,041.84. In issuing our certificates we also certified, pursuant to the provisions of the urgent deficiency act of May 8, 1920, that an aggregate amount of \$2,349,852.86, representing traffic balances and other indebtedness, was due the Director General of Railroads, as agent. In many cases the amount due the latter exceeded the amount payable to the carrier. The aggregate amount of such excess of indebtedness over amounts payable is \$430,465.39. The aggregate amount of our cer-

tificates applied in liquidation of the said indebtedness is \$1,919,387.47.

The estimated amount required to settle the 56 outstanding claims is approximately \$750,000.

In our last report we recommended the enactment of an amendment to the section fixing a time limit for the filing of claims thereunder. Appropriate amendment was passed March 4, 1927, (Public No. 804, 69th Cong.) fixing the time limit for filing claims within 60 days after the above stated effective date. The time limit having expired, additional claims are barred by the statute and we will proceed as rapidly as possible with our settlements of outstanding claims.

A list of the carriers with which settlement has been effected, the amounts of certificates, and the traffic balances or other indebtedness certified in connection therewith as being due the Director General of Railroads, as agent, as well as a list of cases dismissed during the year, will be found in Appendix F.

SIX MONTHS' GUARANTY AFTER TERMINATION OF FEDERAL CONTROL

The guaranty under section 209 of the transportation act, 1920, was conditioned upon carriers filing an acceptance of its provisions on or before March 15, 1920. Six hundred and sixty-seven carriers qualified and filed claims aggregating approximately \$680,000,000 pursuant to our order of December 15, 1921, 70 I. C. C. 711. This order excluded from consideration certain elements in effecting settlements under the guaranty for which claims had previously been made.

Since the effective date of section 209 we have settled 521 claims and dismissed 134, leaving 12 claims pending which we estimate will require approximately \$830,000 to settle.

In disposing of 655 claims aggregating \$675,798,072.68 we have disallowed under our established procedure \$148,910,963.42. These adjustments were due to accounting corrections relating to the test and guaranty period; adjustments under section 4 of the Federal control act with respect to interest on additions and betterments; maintenance claims not allowable under paragraph 3 of subdivision (f), section 209; disproportionate items pursuant to paragraph 5 of that subdivision; deductions on account of unaudited items as provided in section 212; and special claims not recognized under our procedure.

The total amount certified in disposing of 655 claims is \$526,887,109.26. In addition we have also certified as advances and partial payments in the 12 unsettled claims a total of \$3,005,510.15.

A list of carriers with which settlements have been effected during the year and a list of cases dismissed will be found in Appendix F.

LOANS TO CARRIERS

Our duties during the year in connection with the revolving fund created by section 210 of the transportation act, 1920, have been only such as are usually incidental to supervision by the Secretary of the Treasury of loans outstanding under this section.

During the year a total of \$38,311,986.75 was repaid on account of the principal of such loans outstanding.

A revised list of loans and repayments, together with a statement of the condition of the revolving fund, will be found in Appendix F.

BUREAU OF INFORMAL CASES

The number of informal complaints received was 7,578, a decrease of 262. The carriers and the director general, as agent, filed 9,393 special docket applications for authority to refund amounts collected under the published rates admitted by them to have been unreasonable, an increase of 1,317. Orders authorizing refund were entered in 8,450 cases, an increase of 800, and reparation thereon was awarded in the sum of \$1,685,975.30. In addition, 1,298 cases were dismissed or disposed of without orders. The bureau also handled approximately 49,000 letters, many of which had the characteristics of informal complaints, although not so classified. Others sought general information and informal rulings upon the rights and obligations of the public and common carriers under existing statutes.

BUREAU OF INQUIRY

For violations of the interstate commerce act and related acts 25 indictments were returned and 10 informations were filed. Forty-three cases were concluded. The fines imposed aggregated \$45,840. Prosecutions instituted and concluded were distributed over the District of Columbia and the 24 following States: Arizona, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Nebraska, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, and Wisconsin.

Indictments returned and informations filed during the year charged the granting and accepting of concessions by carriers and shippers, respectively, false billing of shipments by shippers, unlawful use of interstate passes, falsifying of records of common carriers, violations of the so-called long-and-short and aggregate-of-intermediates clauses of section 4 of the interstate commerce act, unlawful extension of credit for freight charges, frauds in connec-

tion with the issuance and use of bills of lading, and violations of the commission's regulations governing the transportation of explosives.

An important decision construing the provisions of the Elkins Act was announced on July 5, 1927, by the Circuit Court of Appeals, Second Circuit, in *Spencer Kellogg & Sons, Inc., v. United States*, 20 Fed. (2d), 459. An application for a writ of certiorari was denied by the Supreme Court on November 21, 1927.

Spencer Kellogg & Sons, Inc., operated a grain elevator at Buffalo, N. Y., and elevated grain from the holds of vessels through its elevator and into cars of certain rail carriers at a charge of 1 cent per bushel. The rail carriers published rates for the transportation of ex-lake grain from Buffalo to New York for export. The tariffs provided that such rates included the cost of elevation at Buffalo, and that an allowance of 1 cent per bushel, out of the published rate, would be made to elevator companies which performed the elevation service.

The indictment returned against Spencer Kellogg & Sons, Inc., in the District Court of the United States for the Western District of New York alleged in substance that defendant received from the carriers the 1-cent allowance on certain shipments of ex-lake grain transported from Buffalo to New York for export; that defendant paid to the shippers of that grain a portion of the allowance received by it from the carriers; and that defendant therefore granted to the shippers concessions and rebates whereby the property was transported at less than the lawful rate, in violation of section 1 of the Elkins Act.

The district court overruled a demurrer to the indictment which raised the question whether a corporation, other than a carrier, commits a breach of the Elkins Act by granting to shippers concessions and rebates such as are here in issue. Thereafter a trial was had, which resulted in a judgment of conviction and the imposition of a fine of \$11,000. Defendant obtained a review of this judgment on a writ of error.

The circuit court of appeals held that the application of the statute is not limited to shippers and carriers, but is designed to prevent the granting by anyone of concessions and rebates which would bring about the forbidden result, namely, the transportation of property at less than the lawful rates published by the carriers; and that a conviction under the Elkins Act may be obtained without a showing of cooperation by the carrier in the granting of the concession or rebate.

Summaries of the indictments returned, informations filed, penalty suits instituted, and cases concluded during the year will be found in Appendix A.

BUREAU OF LAW

On October 31, 1926, there were 33 cases involving our orders or requirements pending in the courts. During the year 11 cases have been instituted and 25 have been concluded, so that there are 19 cases now pending in the different courts. Of these, 4 are in the Supreme Court of the United States, 13 are in the district courts, 1 is in the Court of Appeals of the District of Columbia, and 1 is in the Supreme Court of the District of Columbia.

Ten cases were submitted for decision to the Supreme Court of the United States and decided. Twelve were concluded in district courts of the United States, one was concluded in the Court of Appeals of the District of Columbia, and two in the Supreme Court of the District of Columbia. Summaries of all the foregoing cases are shown in Appendix B.

The cases decided by the Supreme Court were:

United States and Interstate Commerce Commission v. The New York Central Railroad Company, 272 U. S. 457.

In this case the court had before it the question of the validity of our order in *State of New York et al. v. New York Central Railroad Company*, 95 I. C. C. 119, requiring the carrier to furnish a transportation service between the Erie Basin barge-canal public terminal at Buffalo, N. Y., owned by the State of New York, and points and shippers located on the carrier's line and on lines of its connections, and to perform upon the terminal tracks, with the carrier's own motive power and other equipment, the operating service necessary to an interchange of traffic with barge-canal lines at the terminal, the services to embrace all traffic, interstate and intrastate, which may be transported to or from the terminal over the carrier's line. The order was made under the authority conferred upon us by paragraph (13) of section 6 of the interstate commerce act, the pertinent portions of which are:

When property may be or is transported from point to point in the United States by rail and water through the Panama Canal or otherwise, the transportation being by a common carrier or carriers, and not entirely within the limits of a single State, the Interstate Commerce Commission shall have jurisdiction of such transportation and of the carriers both by rail and by water, which may or do engage in the same, in the following particulars, in addition to the jurisdiction given by the Act to regulate commerce, as amended June eighteenth, nineteen hundred and ten:

(a) To establish physical connection between the lines of the rail carrier and the dock at which interchange of passengers or property is to be made by directing the rail carrier to make suitable connection between its line and a track or tracks which have been constructed from the dock to the limits of the railroad right of way, or by directing either or both the rail and water carrier, individually or in connection with one another, to construct and connect with the lines of the rail carrier a track or tracks to the dock. The Commission shall

have full authority to determine and prescribe the terms and conditions upon which these connecting tracks shall be operated, and it may either in the construction or the operation of such tracks, determine what sum shall be paid to or by either carrier: *Provided*, That construction required by the Commission under the provisions of this paragraph shall be subject to the same restrictions as to findings of public convenience and necessity and other matters as is construction required under section 1 of this Act.

The physical connection referred to in the above quotation, between the terminal and the carrier's line of railway, was made in the year 1919 under a contract between the Director General of Railroads and the State of New York.

At the hearing before us two corporations engaged in the transportation of property on the canal, neither of which had filed schedules of rates and charges with us or with the Public Service Commission of New York, intervened.

The lower court had entered a decree enjoining enforcement of the order, and in stating the grounds upon which the decree was based and holding it to be erroneous the Supreme Court, among other things, said:

In granting the injunction, the district court disregarded the intervention of the two canal carriers on the ground that they were not shown to be engaged in interstate commerce. Section 6, par. 13, of the amended Interstate Commerce Act insofar as it confers authority on the commission to order the operation of the connecting tracks and to determine the sum to be "paid to or by either carrier" was construed to require the presence of two carriers before the commission subject to its jurisdiction. It therefore held that the commission was without jurisdiction to grant the relief sought because there were not two carriers before it, and further, that the complainant, a sovereign State, as owner of the terminal but not a carrier, was beyond its regulatory powers, and presumably could not invoke its jurisdiction. (Id. 461.)

* * * * *

The jurisdiction of the commission in this case was probably invoked. A state, when its interests are concerned, as well as a private individual, whether carrier or not, may file a complaint with the commission. * * * (Id. 462.)

* * * * *

We may assume, without deciding, that the commission may not determine the amount to be paid to or by either carrier concerned without having both before it. But the commission is not required by the terms of the statute to make such a determination and here it did not do so. A determination with respect to construction costs was not necessary since the physical connection had already been established. There could be no need for directing a contribution of operating expenses since the rail carrier was ordered to furnish the entire car service. It was free to establish such rates as it deemed reasonable, subject to review by the commission if necessary. The only parties concerned in the order actually made were those before the commission: appellee, which was required to furnish the service, and the State of New York, whose terminal facilities were thus to be used. To have required the presence of one or more canal carriers before the commission for the purpose of making this order would have been an idle ceremony. The construction of the Act contended for is unwarranted by its language and incompatible with its purpose

to create an administrative body with authority to facilitate the interchange of interstate traffic between rail and water carriers, by a less formal procedure than prevails in courts of law. We conclude that the commission had authority to make the order and that its findings were supported by the evidence. (Id. 463.)

In describing and holding to be without merit a contention of the carrier, the Supreme Court further said:

* * * It is argued that the jurisdiction conferred by sec. 6, par. 13, is limited to interstate transportation while the order directs transportation of both interstate and intrastate traffic. By the terms of this section, the commission is given jurisdiction both of the transportation described and of the carriers, rail and water, engaged in such transportation. * * * (Id. 463.)

The commission having jurisdiction over the carriers and the facilities by which the transportation is carried on, the question is narrowed to whether its jurisdiction extends to the entire current of commerce flowing through this terminal although intrastate in part. When we consider the nature and extent of the commingling of interstate and intrastate commerce, and the difficulty of segregating the freight passing through the terminal, we think it clear that Congress in employing such broad language as "the commission shall have full authority to determine and prescribe the terms and conditions upon which these connecting tracks shall be operated" intended to confer upon the commission power to regulate the entire stream of commerce. Where, as here, interstate and intrastate transactions are interwoven, the regulation of the latter is so incidental to and inseparable from the regulation of the former as properly to be deemed included in the authority over interstate commerce conferred by statute. * * * An interpretation of the statute which would in practice require the segregation of all shipments in interstate commerce would make compliance with the commission's orders impossible and defeat the purpose of the Act. (Id. 464.)

The Virginian Railway Company v. United States, Interstate Commerce Commission et al.

United States, Interstate Commerce Commission et al. v. The Virginian Railway Company.

272 U. S. 658.

In this case the court had before it the question of the validity of our order in *Wyoming Coal Company et al. v. Virginian Railway Company et al.*, 96 I. C. C. 359, 98 I. C. C. 488, requiring the establishment of reasonable and nonprejudicial rates on coal, in carloads, from mines on the Virginian Railway in the New River District of West Virginia to interstate destinations in central freight association territory. In stating and holding to be without merit matters advanced by the carrier in support of its contention that the order was invalid, the court, among other things, said:

First. The Virginian attacks the Commission's finding of unjust discrimination. There clearly was substantial evidence to support every fact specifically found. To consider the weight of the evidence before the Commission, the soundness of the reasoning by which its conclusions were reached, or whether the findings are consistent with those made by it in other cases is beyond our province. Whether a rate is unjustly discriminatory is a question on which

the finding of the Commission, supported by substantial evidence, is conclusive, unless there was some irregularity in the proceeding or some error in the application of rules of law. * * * No irregularity in the proceedings before the Commission is even suggested. (Id. 663.)

Second. The Virginian contends that the specific facts found are, as matter of law, insufficient to support the finding of undue prejudice. The facts material are these. Ever since the Virginian was constructed, it has adhered to the policy of providing for the output of mines on its line transportation only to tidewater. This policy is pursued, not only because it is deemed profitable to the company, but also because it enables the Virginian to furnish to shippers the most efficient service at reasonable rates. It has never held itself out as equipped to carry coal to the West, or joined in joint rates to western markets. The 45 mines on its line which enjoy the blanket rates to the West, have them as a natural result of certain trackage agreements entered into by the Virginian with the Chesapeake & Ohio for an entirely different purpose. The purpose was to secure additional eastbound tonnage without wasteful expenditure by paralleling branch lines. To be able to secure the eastbound traffic from certain mines located on independent lines connecting with the Chesapeake & Ohio, the Virginian, having acquired the independent lines, sought the right to use that system's tracks to those mines. As compensation for the trackage rights over the Chesapeake & Ohio, it gave that company the right to use the Virginian's tracks to these 45 mines. The carriers, instead of using these trackage rights by operating over the other's tracks, substituted, solely as a matter of economy and convenience, a reciprocal switching arrangement. As a result, the Virginian hauls westbound coal from these 45 mines to a junction with the Chesapeake & Ohio; the latter absorbs the switching charges of the Virginian; and these mines enjoy the same rate to the West as do those located on the Chesapeake & Ohio. But the Virginian's purpose in making the traffic agreement was solely to increase its eastbound traffic.

The fact that the Virginian's intention was not to give the 45 mines a preference over others, but to increase its own eastbound business from mines located on the other system, and that the preference resulting is merely an incident of a legitimate effort to develop the carrier's eastbound traffic, is not of legal significance. These 45 mines to which the western market has been thus opened, obviously, enjoy thereby an advantage over the 54 miles, found to be similarly situated, to which the market is closed. And the Commission has found that the preference is unjust. * * * (Id. 663-665.)

Third. The Virginian contends that the evidence before the Commission does not support its finding that the rates on coal from Virginian's mines *via* the Chesapeake & Ohio are unreasonable to the extent that they exceed the New River district rates maintained by the latter carrier from mines on its own and connecting lines having no other outlet to the western markets. * * * The finding of reasonableness, like that of undue prejudice, is a determination of a fact by a tribunal "informed by experience." * * * This Court has no concern with the correctness of the Commission's reasoning, with the soundness of its conclusions, or with the alleged inconsistency with findings made in other proceedings before it. * * * It was shown that a huge coal traffic moves from this territory, under like operating conditions, at the blanket rates which were voluntarily established by the other carriers to serve mines similarly located. This fact, and much else in the voluminous record, afford substantive evidence to support the finding that the existing rates are unreasonable; and that those which the order directs are reasonable. (Id. 665-666.)

Fourth. The Virginian contends that the order is void because the Commission directed the establishment of through routes and joint rates without finding

that they are necessary in the public interest. Such a finding is essential to the validity of an order under section 15(3). But the order here in question was not sought or made under section 15(3) and does not direct the establishment of through routes and joint rates. Through routes to the West were already in existence. And there were through rates by combination. * * * The order was sought and made under section 1 and section 3. Section 15(3) does not require that the Commission must make a special finding of public interest, before it can prescribe how an existing through rate found to be unreasonable and discriminatory shall be made conformable to law. (Id. 666-667.)

Fifth. The Virginian contends that the order should be set aside because of * * * facts which occurred after entry of the original order and before the hearing below. * * * The argument urged in this connection is appropriate for consideration by the Commission, and has presumably been duly considered by it. The fact that it has not proved persuasive affords no basis for the contention that the Commission's action in making the order was arbitrary or otherwise illegal. (Id. 667-668.)

The lower court declined to grant the injunction asked for by the carrier and dismissed the carrier's bill of complaint, but it enjoined enforcement of our order pending appeal by the issuance of a restraining order, and, in holding the action taken in issuing the restraining order to be within the power of the lower court but unwarranted by the record upon which it was based, language used by the Supreme Court was in part as follows:

Sixth. The cross-appeal is directed to so much of the final decree as stays enforcement of the Commission's order pending the appeal. * * * (Id. 668.)

* * * * *

It is clear that this Court, or a justice thereof, has power to grant a stay of the Commission's order pending the appeal. * * * Whether the district court of three judges under the Act of 1913 possesses like power has never been considered by this Court. * * * The question now presented was, however, passed upon under similar legislation and conditions in *Cumberland Telephone & Telegraph Co. v. Louisiana Public Service Commission*, 260 U. S. 212. The practice there held appropriate in a proceeding under section 266 of the Judicial Code, must be held to be likewise authorized under the Act of 1913. Id. 670-671.)

* * * We declared in the *Cumberland Telephone & Telegraph Co.* case, p. 219, that while this Court has power to grant a stay pending the appeal, the district court acting through three judges, or a majority of them, also possesses that power; and that because such court is "best and most conveniently able to exercise the nice discretion needed * * * the Court of three judges, who have heard the whole matter, have read the record, and can pass on the issue—[application for a suspension pending the appeal]—without additional labor", the determination of the application will ordinarily be left to it. The language of section 266 which limits the power to grant the restraining order and the interlocutory injunction is substantially the same as that employed in the Act of October 22, 1913. The two statutes are *in pari materia*. It is under section 266 that proceedings to enjoin the enforcement of rate-orders of state railroad and public utility commissions are commonly instituted. (Id. 671-672.)

* * * * *

Seventh. The Government contends that, even if the District Court had power to stay the order of the Commission pending the appeal in this Court, its action was not warranted by the facts. A stay is not a matter of right, even if irreparable injury might otherwise result to the appellant. * * * It is an exercise of judicial discretion. The propriety of its issue is dependent upon the circumstances of the particular case. An application to suspend the operation of the Commission's order pending an appeal from a final decree dismissing the bill on the merits calls for the exercise of discretion under circumstances essentially different from those which obtain when the application for a stay is made prior to a hearing of the application for an interlocutory injunction, or after the hearing thereon but before the decision. In the two latter classes of cases, if the bill seems to present to the court a serious question, the fact that irreparable injury may otherwise result to the plaintiff may, as an exercise of discretion, alone justify granting the temporary stay until there is an opportunity for adequate consideration of the matters involved. But to justify a stay pending an appeal from a final decree refusing an injunction additional facts must be shown. For the decree creates a strong presumption of its own correctness and of the validity of the Commission's order. This presumption ordinarily entitles defendant carriers and the public to the benefits which the order was intended to secure. (Id. 672-673.)

In this class of cases an appeal bond can rarely indemnify fully even private parties to the litigation for the loss of the benefits of which the stay deprived them; and the public would usually be left wholly remediless. To justify granting the stay after a final decree sustaining the Commission's order, it must appear either that the district court entertains a serious doubt as to the correctness of its own decision; or that the decision depends upon a question of law on which there is conflict among the courts of the several circuits; or that some other special reason exists why the order of the Commission ought not to become operative until its validity can be considered by this Court. (Id. 673.)

The District Court made no finding or statement bearing upon its exercise of discretion in suspending the operation of the Commission's order, except the recital in the decree that from all the evidence in the case it is "of opinion * * * that irreparable damage will result to the complainant pending such appeal if this decree shall be reversed on appeal." We must therefore look elsewhere in the record for additional facts necessary to justify the suspension. We fail to find any. * * * Under the circumstances appearing, the suspension of the order pending the appeal was unwarranted. (Id. 674-675.)

New York, Ontario & Western Railway Company v. United States and Interstate Commerce Commission, 273 U. S. 652.

In this case the court had before it the question of the validity of our orders of October 20, 1925, and January 15, 1926, reopening the *New York, Ontario & Western Valuation Case* for the introduction of additional evidence, and the validity of action taken by us pursuant to said orders.

The lower court had entered a decree dismissing the petition of the carrier for want of jurisdiction, and this decree was affirmed in a memorandum opinion by the Supreme Court.

United States and Interstate Commerce Commission v. Los Angeles & Salt Lake Railroad Company, 273 U. S. 299.

In this case the court had before it the question of the validity of our order of June 7, 1923, as amended by our order of October 17, 1925, fixing, as of June 30, 1914, the final value for rate-making purposes of the property of the San Pedro, Los Angeles & Salt Lake Railroad Co., now the Los Angeles & Salt Lake Railroad Co., and, in holding that such an order is not reviewable in court, among other things, said:

The jurisdiction of the District Court was invoked under the Urgent Deficiencies Act, October 22, 1913, c. 32, 38 Stat. 208, 219, and also under its general equity powers. The United States was named as defendant and the Commission became such by intervention. Both defendants answered. But by appropriate pleadings the United States objected that the adoption by the Commission of the final valuation does not constitute an order within the meaning of the Urgent Deficiencies Act; challenged also the jurisdiction of the court to enjoin or annul the order under its general equity powers; and moved that the bill be dismissed. * * * (Id. 308.)

* * * * *

The so-called order here complained of is one which does not command the carrier to do, or to refrain from doing, any thing; which does not grant or withhold any authority, privilege or license; which does not extend or abridge any power or facility; which does not subject the carrier to any liability, civil or criminal; which does not change the carrier's existing or future status or condition; which does not determine any right or obligation. This so-called order is merely the formal record of conclusions reached after a study of data collected in the course of extensive research conducted by the Commission, through its employees. It is the exercise solely of the function of investigation. * * * (Id. 309-310.)

* * * * *

The mere fact that Congress has, in terms, made "all final valuations * * * and the classification thereof * * * *prima facie* evidence of the value of the property in all proceedings under the Act to Regulate Commerce * * * in all judicial proceedings for the enforcement of the Act * * * and in all judicial proceedings brought to enjoin, set aside, annul, or suspend, in whole or in part, any order of the Interstate Commerce Commission" is, obviously, not a violation of the due process clause justifying proceedings to annul the order. * * * (Id. 311.)

Nor does the fact that "all final valuations * * * and the classifications thereof" are made *prima facie* evidence prevent the report from being solely an exercise of the function of investigation. * * * (Id. 312.)

* * * When the final report is introduced in evidence the opportunity to contest the correctness of the findings therein made is fully preserved to the carrier; and any error therein may be corrected at the trial. Specific findings may be excluded because of errors committed in making them. It is conceivable that errors of law may have been committed which are so fundamental and far-reaching, as to deprive the "final valuations * * * and the classification thereof" of all probative force. Moreover, additional evidence may be introduced. Paragraph (j) provides that "if upon the trial of any action involving a final value fixed by the Commission, evidence shall be introduced regarding such value which is found by the court to be different from that offered upon the hearing before the Commission, or additional thereto and substantially affecting the value," the proceedings shall be stayed so as to permit the Commission to consider the same and fix a final value different from that fixed

in the first instance, and to "alter, modify, amend or rescind any order which it has made involving such final value."

The District Court rested jurisdiction to entertain a suit to set aside the valuation order largely upon the provisions of paragraph (j), believing that such a suit was within the scope of the words "upon the trial of any action involving a final value." That paragraph was intended to apply to actions brought to set aside rate-fixing orders in which the question of the value of the carrier's property would be material. In our opinion it is not applicable to so-called orders fixing only valuations. The objection to entertaining this suit to annul the final valuation is not merely that the question presented is moot, as in *United States v. Alaska Steamship Co.*, 253 U. S. 113, 116; or that the plaintiff's interest is remote and speculative as in *Hines Yellow Pine Trustees v. United States*, 263 U. S. 143, 148. There is the fundamental infirmity that the mere existence of error in the final valuation is not a wrong for which Congress provides a remedy under the Urgent Deficiencies Act. (Id. 312-313.)

Little need be added concerning the further contention that the suit should be entertained under the general equity power of the court. Two arguments are urged in support of the proposition. One is that since the Commission has by reason of errors of law and of judgment grossly undervalued the property, its report will, unless suppressed, injure the credit of the carrier with the public. The other is that the Commission may itself be misled into illegal action by the erroneous conclusions and may apply them to the carriers' injury, since use of the final valuation is required in making rates pursuant to section 15a of the Act to Regulate Commerce, as amended by Transportation Act, c. 91, sec. 421, 41 Stat. 456; in prescribing divisions of joint rates under section 15; in determining the limit upon the amount of capitalization, in the event of a consolidation under section 5; in determining the propriety of an issue of securities, under section 20a; or as the basis of computation of the amount of excess earnings to be recaptured under section 15a. Neither argument is persuasive. The first reminds of the effort made in *Pennsylvania R. R. Co. v. United States Railroad Labor Board*, 261 U. S. 72, to suppress the report of that board. The second reminds of the attempt to secure a declaratory judgment in *Liberty Warehouse Co. v. Grannis*, ante, p. 70; and, also, of cases in which it was sought to enjoin a municipality from passing an illegal ordinance. Compare *New Orleans Waterworks Co. v. New Orleans*, 164 U. S. 471, 481; *McChord v. Louisville & N. Ry. Co.*, 183 U. S. 483, (Id. 314.)

No basis is laid for relief under the general equity powers. The investigation was undertaken in aid of the legislative purpose of regulation. In conducting the investigation, and in making the report, the Commission performed a service specifically delegated and prescribed by Congress. Its conclusions, if erroneous in law, may be disregarded. But neither its utterances, nor its processes of reasoning, as distinguished from its acts, are a subject for injunction. Whether the remedy conferred by the Urgent Deficiencies Act is in all cases the exclusive equitable remedy, we need not determine. (Id. 314-315.)

The Chicago, Rock Island and Pacific Railway Company et al. v. United States, Interstate Commerce Commission et al. 274 U. S. 29.

In this case the court had before it the question of the validity of our order in *Houston Cotton Exchange & Board of Trade et al. v. Arcade & Attica Railroad Corporation et al.*, 87 I. C. C. 392 and 93 I. C. C. 268, requiring certain carriers to establish joint rail-and-water and rail-and-water-and-rail rates on cotton from points in

Oklahoma, via Galveston, Tex., to points in New England territory, and, in stating matters advanced by the Rock Island and Frisco in support of their contention that the order was invalid, the court, among other things, said:

Appellants assign 21 specifications of error; but the objections to the commission's order, so far as necessary to be considered here, may be summarized as follows: (1) the commission undertook to equalize rail-and-water rates with the all-rail rates, a power which it does not possess; (2) if the order be treated as made under the power to fix reasonable rates, it is arbitrary and without supporting evidence; (3) the result of the order is to short-haul appellants' lines contrary to paragraph 4, section 15, of the Interstate Commerce Act * * *; and (4) the order is based upon paragraph (13) of section 6, * * *, and is, therefore, void because the authority of the commission was not invoked under that paragraph. (Id. 31-32.)

First. Appellants' argument under this head seems to be predicated upon the contention that the order of the commission established an exact relationship between the rail-and-water rates and the present all-rail rates, the differential of 4 cents being, it is said, the amount charged by insurance companies as a premium for insurance to cover the risk of water transportation; and that an analysis of the commission's order and report shows that the commission itself recognized that it was undertaking to make such an equalization. The complaint before the commission plainly sought the establishment of reasonable rates, * * *. In form, the action of the commission was responsive to the case made by the complaint, and to hold that, in fact, its order was not one fixing reasonable rates but an order equalizing rates would be to put undue stress upon certain recitals contained in the report, * * *. (Id. 32.)

* * * * *

Second. If the order of the commission be unsupported by the evidence, it is, of course, void. * * *. Nothing is to be gained by a review of the evidence. It is enough to say that both the commission and the lower court thought it was ample to justify the order, and, upon a consideration of the entire record, we find no reason to differ with them in that conclusion. (Id. 33-34.)

Third. Does the order of the commission result in short-hauling appellants' lines contrary to the provisions of paragraph 4 of section 15 of the Interstate Commerce Act, as amended by the Transportation Act, 1920? The pertinent provision of that paragraph is that the commission, in establishing a through route, shall not, "except where one of the carriers is a water line," require any railroad carrier to embrace in such route substantially less than the entire length of its railroad lying between the termini of the proposed through route. That the through routes here established by the commission's order to embrace substantially less than the entire length of appellants' railroads, etc., is not denied. And appellants' contention is that the exception, "where one of the carriers is a water line," has reference only to such a carrier as comes within the description of section 1 of the Interstate Commerce Act, which provides, among other things, that the provisions of the act shall apply to common carriers engaged in "(a) The transportation of passengers or property wholly by railroad, or partly by railroad and partly by water *when both are used under a common control, management, or arrangement for a continuous carriage or shipment*; * * *. (Id. 34.)

Appellees insist that the rail and water lines here involved come within the italicized portion of this provision. But it is unnecessary to pass upon that question, since clearly the order in this respect can be sustained under the

later and broader provisions of paragraph (13) of section 6, added to the Interstate Commerce Act by the Panama Canal Act, * * *. (Id. 34-35.)

* * * * *

Fourth. In disposing of the final objection, little need be said. The contention is that the commission was without power to predicate its order on paragraph (13) of section 6 of the act, because there is no formal reference in the complaint to that paragraph nor an order for an investigation under it on the commission's own motion. But the allegations of the complaint in matters of fact were sufficient to authorize the commission to consider the case under that provision as well as others; and this is enough. To plead the law relied on, is no more necessary in a proceeding before the commission than it is in a judicial proceeding. (Id. 36-37.)

United States and Interstate Commerce Commission v. Akron, Canton & Youngstown Railway Company et al.

United States and Interstate Commerce Commission v. Berwind-White Coal Mining Company et al.

United States and Interstate Commerce Commission v. Bethlehem Steel Company et al.

United States and Interstate Commerce Commission v. Rainey-Wood Coke Company et al.

United States and Interstate Commerce Commission v. Public Service Electric and Gas Company.

— U. S. —.

In these cases the court had before it the question of the validity of our order in what are known as the *Assigned Car Cases*, 80 I. C. C. 520 and 93 I. C. C. 701, requiring the *pro rata* distribution among coal mines of all cars to be loaded with coal, including assigned cars. In defining assigned cars and distinguishing them from system cars, in setting forth matters advanced in support of the contention that the order was invalid, and in holding the contention to be without merit, the court, among other things, said :

The term assigned cars is used in contradistinction to system cars. By assigned cars are meant those placed for use at a specified mine for a particular shipper. By system cars are meant those, from time to time on the line, which are being kept available for use at any mine for any shipper. Assigned cars are of two classes. One class of assigned cars consists of private cars. These are cars owned (or leased) by some shipper (or subject to the control of a particular person not a rail-carrier) who delivers them to the railroad for placement at designated mines for loading and transportation as desired by the owner of the cars. Assigned cars of the other class are called railroad fuel cars. These consist wholly of cars owned (or leased) by some carrier, which, instead of being left, like system cars, for use indiscriminately in carrying coal from any mine for any consignor to any consignee, are assigned to a particular mine to carry coal to be used as fuel by a particular carrier. (Id.)

* * * * *

The order is challenged on several grounds. All of the plaintiffs insist that in prescribing a universal rule the Commission has exceeded the powers conferred by Congress. All of the plaintiffs appear to attack the rule also on the ground that it is inherently unreasonable. Some insist that the order is un-

supported by the findings and the evidence. Some that the rule involves a taking of property without due process of law. The private car owners urge specifically that the rule is an arbitrary interference with the use of their own property. The railroads urge especially that the rule is an illegal interference with their right to manage their own affairs. (Id.)

First. There is clearly no constitutional obstacle. The rule prescribed does not involve a taking of the property of the private car owner. Congress could exclude private cars from interstate railroads. * * * And it may prescribe conditions on which alone they may be used. * * * Limiting their use does not involve regulation of the coal mining industry. Likewise, Congress may prescribe how carrier-owned cars shall be used. The regulation prescribed does not invade the private business affairs of the carrier. It merely limits the use of certain interstate transportation facilities. (Id.)

Second. * * * The legislation to be construed is paragraphs 10 to 17, added to section 1 of the Interstate Commerce Act by section 402 of Transportation Act, 1920, February 28, 1920, c. 91, 41 Stat. 456, 476. The paragraphs more directly involved are:

"(12) It shall be the duty of every carrier by railroad to make just and reasonable distribution of cars for transportation of coal among the mines served by it, whether located upon its line or lines or customarily dependent upon it for car supply. During any period when the supply of cars available for such service does not equal the requirements of such mines it shall be the duty of the carrier to maintain and apply just and reasonable ratings of such mines and to count each and every car furnished to or used by any such mine for transportation of coal against the mine. Failure or refusal so to do shall be unlawful, and in respect of each car not so counted shall be deemed a separate offense, and the carrier, receiver, or operating trustee so failing or refusing shall forfeit to the United States the sum of \$100 for each offense, which may be recovered in a civil action brought by the United States.

"(14) The Commission may, after hearing, on a complaint or upon its own initiative without complaint, establish reasonable rules, regulations, and practices with respect to car service by carriers by railroad subject to this Act. * * * " (Id.)

* * * The Commission contends that paragraph (12) does not prescribe a complete rule; that it does not require either pro rata distribution of cars or distribution according to the Hocking Valley-Traer rule [12 I. C. C. 398 and 13 I. C. C. 451]; that it requires merely that all cars be counted as the basis for determining the pro rata share of each mine; and that it leaves to the Commission administrative discretion to determine how the cars shall be distributed. The Commission's contention is, in our opinion, the sound one. It gives effect to the command that all cars shall be counted; and it leaves full scope both to the duty imposed upon the carriers in paragraph (11), and to the authority conferred upon the Commission in paragraph (14), to establish reasonable rules with respect to car service. * * *. (Id.)

* * * So far as concerns foreign railroad fuel cars, the owner is obviously in the same position as a private shipper. Carrying coal by a railroad for its own use as fuel is likewise transportation. * * *. (Id.)

Third. It is contended that the rule prescribed is void because unreasonable. * * *. (Id.)

* * * * *

The argument most strongly urged is that, because the rule prescribes absolute uniformity, regardless of the necessities of the railroad or other consumer, regardless of the ownership of the mine or the cars, regardless of the character of the business done by the mine or its customer, it is necessarily

unreasonable, and, hence, that the order is void. But the authority to establish reasonable rules conferred by paragraph (14) includes power to prescribe a rule of universal application. There was ample evidence to support the Commission's findings. It is not for courts to weigh the evidence introduced before the Commission, * * * or to inquire into the soundness of the reasoning by which its conclusions are reached, * * * or to question the wisdom of regulations which it prescribes. * * * These are matters left by Congress to the administrative "tribunal appointed by law and informed by experience." * * *. (Id.)

We cannot say that it was arbitrary and unreasonable for the Commission to conclude that good service could be secured by a uniform rule which might be departed from with its consent and that unjust discrimination could not be prevented without such a uniform rule. It acted in the light of a rich experience. It had learned by experience that the existing practices resulted in discrimination and unsatisfactory service. It had learned, also through experience, that the emergency powers conferred by the Transportation Act, 1920, afforded adequate means of supplying the needs, and of averting the possible hardships and losses, of carriers and of private coal consumers, to which the evidence and arguments had been largely directed. * * *. (Id.)

Fourth. The contention that findings of the Commission concerning discrimination were unsupported by evidence, or that findings essential to the order are lacking, rests largely upon a misconception. This objection was directed particularly to the finding that the existing practice in regard to assigned cars results in giving to the mines enjoying assigned cars an unjust and unreasonable share of railroad services and of facilities other than cars. The claim is that the evidence, upon which the finding of the resulting discrimination in these other transportation facilities rests, relates to only a few carriers, and that the general finding to that effect is without support, because the evidence introduced was not shown to be typical. * * * The argument overlooks the difference in the character between a general rule prescribed under paragraph (12) and a practice for particular carriers ordered or prohibited under sections 1, 3 and 15 of the Interstate Commerce Act. In the cases cited, the Commission was determining the relative rights of the several carriers in a joint rate. It was making a partition; and it performed a function quasi-judicial in its nature. In the case at bar, the function exercised by the Commission is wholly legislative. Its authority to legislate is limited to establishing a reasonable rule. But in establishing a rule of general application, it is not a condition of its validity that there be adduced evidence of its appropriateness in respect to every railroad to which it will be applicable. In this connection, the Commission, like other legislators, may reason from the particular to the general. (Id.)

Fifth. Equally unfounded is the contention that, under the guise of regulating carrier instrumentalities, the Commission is seeking to equalize industrial fortune and opportunity. The object of the rule was not to equalize fortunes, but to prevent an unjust discrimination in the use of transportation facilities and to improve the service. * * * The fact that Congress has permitted the use of private cars, and that the shippers' acquisition of them proceeds from the motive of self-interest which is recognized as legitimate, cannot prevent the Commission from prohibiting a use of the equipment in a way which it concludes will probably result in unjust discrimination against others and may prove detrimental otherwise to the transportation service. * * * The contention is admittedly baseless if, as we have concluded, there is evidence to support the finding that the assigned-car practice causes discrimination in the use of other transportation facilities. For the appellees concede that the

possession of private cars confers upon them no superior claim to other services. (Id.)

The court also construed one of our orders in—

Arkansas Railroad Commission et al. v. Chicago, Rock Island & Pacific Railroad Co. — U. S. —

In this case the court construed one of our orders as not showing, on our part, any intention of interfering with the State function of regulating intrastate rates, under circumstances which were as follows:

In *Memphis-Southwestern Investigation—Commodity Rates*, 77 I. C. C. 473, the commission fixed a scale of rates applicable to the transportation of certain freight articles in interstate commerce, found that intrastate rates applicable to the transportation of like articles in Arkansas were discriminatory in violation of section 13 of the interstate commerce act, and issued an order wherein it required the carriers involved to remove the discrimination. Thereafter, in *Oklahoma Commission v. Abilene & Southern Ry. Co.*, 98 I. C. C. 183, the commission, by order, fixed a somewhat higher scale of rates which was applicable in part to the interstate transportation of the freight articles covered by the order in the *Memphis-Southwestern case*, but did not change either the latter order or the finding mentioned. In complying with the order in the *Oklahoma case*, and in reliance upon that order, the carriers increased certain intrastate rates in Arkansas; and in holding this construction by the carriers to be erroneous the court, among other things, said:

* * * when the two orders are read together, as they must be, it is clear that the Commission construed its earlier order as requiring only that the Arkansas rates should not be lower than the interstate Memphis to Arkansas rates prescribed in that case, as long as they should be maintained.

The intention to interfere with the state function of regulating intrastate rates is not to be presumed. Where there is a serious doubt whether an order of the Interstate Commerce Commission extends to intrastate rates, the doubt should be resolved in favor of the state power. If, as the Railroad believed, the federal commission intended to include the intrastate Arkansas rates within its order, it [the railroad] should have taken action, through appropriate application, to remove the doubt by securing an expression by that commission of the intention so to do. * * *. (Id.)

Another decision of the Supreme Court in which provisions of laws under which we operate were construed is as follows:

Napier v. Atlantic Coast Line Railroad Company, No. 87.

Chicago & Northwestern Railroad Company v. Railroad Commission of Wisconsin, No. 310.

Chicago, Milwaukee & St. Paul Railway Company v. Railroad Commission of Wisconsin, No. 311.

272 U. S. 605.

In these cases, in holding that the locomotive boiler inspection act of February 17, 1911, as amended by the acts of March 4, 1915, and

June 7, 1924, covers the field in so far as regulation of locomotive equipment is concerned, the court, among other things, said:

* * * The main question, which is the same in the three cases, is one of statutory construction. It is whether the Boiler Inspection Act has occupied the field of regulating locomotive equipment used on a highway of interstate commerce, so as to preclude state legislation. * * * (Id. 607.)

No. 87 involves a Georgia statute which prescribes an automatic door to the firebox, * * *. That case is here on direct appeal from a final decree of the federal district court, entered December 23, 1924, granting the injunction. * * *. Nos. 310 and 311 involve a Wisconsin statute which prescribes a cab curtain, * * *. These cases are here on writs of error to the Supreme Court of that State, which affirm a judgment denying the injunction. * * *. In Georgia, the details of the device were prescribed by the legislature. In Wisconsin, the specifications were prescribed by an order of the state Railroad Commission. * * *. (Id. 607.)

Prior to the passage of the Boiler Inspection Act, Congress had, by the Safety Appliance Act and several amendments, itself made requirements concerning the equipment of locomotives used in interstate commerce. It had required a power driving-wheel brake, automatic couplers, grabirons or hand-holds, drawbars, safety ash pans, and sill steps. * * *. Congress first conferred upon the Interstate Commerce Commission power in respect to locomotive equipment in 1911. The original Act applied only to the boiler. * * *. The provisions of that Act were extended in 1915 to "include the entire locomotive and tender and all parts and appurtenances thereof." In 1924, section 2 of the original Act was amended to read as follows:

"That it shall be unlawful for any carrier to use or permit to be used on its line any locomotive unless said locomotive, its boiler, tender, and all parts and appurtenances thereof are in proper condition and safe to operate in the service to which the same are put, that the same may be employed in the active service of such carrier without unnecessary peril to life or limb, and unless said locomotive, its boiler, tender and all parts and appurtenances thereof have been inspected from time to time in accordance with the provisions of this Act and are able to withstand such test or tests as may be prescribed in the rules and regulations hereinafter provided for." (Id. 608.)

Other sections confer upon Inspectors and the Commission power to prescribe requirements and establish rules to secure compliance with the provisions of section 2. From time to time since the passage of the original Act, the Commission has required that locomotives used in interstate commerce be equipped with various devices. But it has made no order requiring either a particular type of fire-box door or a cab curtain. Nor has Congress legislated specifically in respect to either device. (Id. 608-609.)

* * * The automatic fire-door conserves the health of the fireman by protecting him from exposures to extremes of heat and cold while performing his duties; conserves his eyesight by reducing the amount and extent of exposure to the glare of the fire; protects the safety of the employees in the event of an explosion in the fire-box; and incidentally might affect the safety of the train, after such an explosion, in that employees, being safe, might be able to bring the train under control. The automatic fire-door would also serve to protect travellers upon highways crossed by the railroad at grade. For the fireman is required to aid the engineer in keeping a lookout; and with use of the old type swinging door this is not continuously possible. The glare of the flame when the door is open practically blinds the fireman for a time. (Id. 609-610.)

The purpose of the cab curtain is to protect engineers and firemen from the weather during the winter season. * * *. (Id. 610.)

* * * Does the legislation of Congress manifest the intention to occupy the entire field of regulating locomotive equipment? * * *. (Id. 611.)

* * * The question whether the Boiler Inspection Act confers upon the Interstate Commerce Commission power to specify the sort of equipment to be used on locomotives was left open in *Vandalia R. R. Co. v. Public Service Commission*, 242 U. S. 255. We think that power was conferred. The duty of the Commission is not merely to inspect. It is, also, to prescribe the rules and regulations by which fitness for service shall be determined. Unless these rules and regulations are complied with, the engine is not "in proper condition" for operation. * * *. (Id. 612.)

* * * * *

The federal and the state statutes are directed to the same subject—the equipment of locomotives. They operate upon the same object. It is suggested that the power delegated to the Commission has been exerted only in respect to minor changes or additions. But this, if true, is not of legal significance. It is also urged that, even if the Commission has power to prescribe an automatic firebox door and a cab curtain, it has not done so; and that it has made no other requirement inconsistent with the state legislation. This, also, if true, is without legal significance. The fact that the Commission has not seen fit to exercise its authority to the full extent conferred, has no bearing upon the construction of the Act delegating the power. We hold that state legislation is precluded, because the Boiler Inspection Act, as we construe it, was intended to occupy the field. The broad scope of the authority conferred upon the Commission leads to that conclusion. Because the standard set by the Commission must prevail, requirements by the States are precluded, however commendable or however different their purpose. * * *. (Id. 612-613.)

If the protection now afforded by the Commission's rules is deemed inadequate, application for relief must be made to it. The Commission's power is ample. Obviously, the rules to be prescribed for this purpose need not be uniform throughout the United States; or at all seasons; or for all classes of service. (Id. 613.)

BUREAU OF LOCOMOTIVE INSPECTION

The work of this bureau is shown in detail in the report of the chief inspector, published separately. Except as otherwise stated, the report here made is for the fiscal year ended June 30, 1927.

The following tables covering the fiscal years indicated are self-explanatory:

TABLE I.—*Reports and inspections, steam locomotives*

	1927	1926	1925	1924	1923
Number of locomotives for which reports were filed.....	67,835	69,173	70,361	70,683	70,242
Number inspected.....	97,227	90,475	72,279	67,507	63,657
Number found defective.....	29,995	36,354	32,989	36,098	41,150
Percentage inspected found defective.....	31	40	46	53	65
Number ordered out of service.....	2,539	3,281	3,637	5,764	7,075
Total number of defects found.....	112,008	136,973	129,239	146,121	173,840

TABLE II.—*Accidents and casualties caused by failure of some part of the steam locomotive, including boiler, or tender*

	Year ended June 30—				
	1927	1926	1925	1924	1923
Number of accidents.....	488	574	690	1,005	1,348
Per cent increase or decrease from previous year.....	14.9	16.8	31.3	25.5	¹ 117
Number of persons killed.....	28	22	20	66	72
Per cent increase or decrease from previous year.....	¹ 27.3	¹ 10	69.7	8.3	¹ 118
Number of persons injured.....	517	660	764	1,157	1,560
Per cent increase or decrease from previous year.....	21.6	13.6	33.9	25	¹ 120

¹ Increase.TABLE III.—*Accidents and casualties caused by failure of some part or appurtenance of the steam locomotive boiler*¹

	1927	1926	1925	1915	1912
Number of accidents.....	185	247	274	424	856
Number of persons killed.....	20	18	13	13	91
Number of persons injured.....	205	287	315	467	1,005

¹ The original act applied only to the locomotive boiler.TABLE IV.—*Derailments and casualties caused by defects in or failure of some part of the steam locomotive or tender*

	1927	1926	1925	1924	1923
Number of derailments ¹	15	23	22	30	38
Number of persons killed.....	1	2	0	3	4
Number of persons injured.....	23	49	52	112	157

¹ Only derailments reported by carriers as being caused by defect in or failure of parts of the locomotive or tender were investigated or counted.TABLE V.—*Number of casualties classified according to occupation, steam-locomotive accidents*

	1927		1926		1925		1924		1923	
	Killed	In-jured	Killed	In-jured	Killed	In-jured	Killed	In-jured	Killed	In-jured
Members of train crews:										
Engineers.....	8	181	5	210	8	230	19	330	19	484
Firemen.....	9	179	6	230	6	300	22	434	16	597
Brakemen.....	4	51	3	77	2	84	9	102	12	137
Conductors.....		25	2	28		25	2	39	1	35
Switchmen.....	1	13		19		23	1	29	2	32
Roundhouse and shop employees:										
Boiler makers.....		11		5		6	1	24	3	19
Machinists.....	1	5		5		13	1	9	2	14
Foremen.....		1		3			1	6	1	6
Inspectors.....						2	1	3		2
Watchmen.....	2	4	1	5	1	3		5	1	6
Boiler washers.....	1	2		2		5	2	5	1	9
Hostlers.....	1	7		9		16		14		31
Other roundhouse and shop employees.....		10	1	15		10	6	34	4	29
Other employees.....	1	9	3	10	1	13		16	4	36
Nonemployees.....		19	1	42	2	34	1	107	6	123
Total.....	28	517	22	660	20	764	66	1,157	72	1,560

TABLE VI.—*Reports and inspections, locomotives other than steam*

	1927
Number of locomotives for which reports were filed.....	951
Number inspected.....	604
Number found defective.....	174
Percentage inspected found defective.....	29
Number ordered out of service.....	9
Total number of defects found.....	423

TABLE VII.—*Accidents and casualties caused by failure of some part or appurtenance of locomotives other than steam*

	1927
Number of accidents.....	5
Number of persons injured.....	5

TABLE VIII.—*Number of casualties classified according to occupation—locomotives other than steam*

	1927	
	Killed	Injured
Members of train crews:		
Engineers.....		1
Firemen.....		2
Roundhouse and shop employees:		
Inspectors.....		1
Other roundhouse and shop employees.....		1
Total.....		5

All accidents reported to this bureau, as required by law and the rules, were carefully investigated. Copies of accident investigation reports were furnished to parties interested when requested, and otherwise used in an endeavor to bring about a decrease in the number of accidents.

The percentage of steam locomotives found defective decreased from 40 per cent during the year 1926 to 31 per cent during this year. The condition of the motive power is reflected in the number of accidents and casualties to persons resulting from failure of parts and appurtenances of locomotives and tenders. There was a decrease of 14.9 per cent in the number of accidents occurring in connection with steam locomotives, a decrease of 20.1 per cent in the total number of casualties, an increase of 27.3 per cent in the number of persons killed, but a decrease of 21.6 per cent in the number of persons seriously injured, as compared with the previous year.

The rules and instructions for inspection and testing of locomotives other than steam became effective July 1, 1926, and statistics in connection therewith are given in Tables VI, VII, and VIII.

One hundred and forty-six applications were filed for extension of time for removal of flues as provided in rule 10 of the rules and

instructions for inspection and testing of steam locomotives. Our investigations disclosed that in 8 of these cases the condition of the locomotives was such that no extension could properly be granted. Eleven were in such condition that the full extensions requested could not be authorized, but extensions for shorter periods of time were allowed. Twenty extensions were granted after defects disclosed by our investigations had been repaired. Eleven applications were canceled for various reasons, and the remaining 96 were granted for the full period requested.

Under rule 54, 1,806 specification cards and 9,076 alteration reports were filed, checked, and analyzed. These reports are necessary in order to determine whether or not the boilers represented were so constructed or repaired as to render safe and proper service, and whether the stresses were within the allowed limits. Corrective measures were taken with respect to numerous discrepancies found.

Under rules 328 and 329 of the rules and instructions for inspection and testing of locomotives other than steam 414 specifications were filed for locomotive units and 90 specifications were filed for boilers mounted on locomotives other than steam. These were checked and analyzed and corrective measures taken with respect to discrepancies found.

Information of violations of the locomotive inspection act was lodged with the proper United States attorneys in 8 cases covering 228 counts. Three cases covering 102 counts were confessed and 47 counts were dismissed. Five cases covering 79 counts are now pending in the various district courts.

One formal appeal was taken from the decisions of our inspectors during the year. After careful investigation of the existing conditions the appeal was dismissed.

BUREAU OF SAFETY

Except as otherwise specified the report here made is for the year ended June 30, 1927.

The casualties on steam railroads in connection with the operation of trains during the calendar year 1926 are summarized as follows:

Class of persons	Number of persons killed	Number of persons injured
Trespassers.....	2,561	2,545
Employees.....	1,371	34,202
Passengers.....	152	4,461
Persons carried under contract, such as mail clerks, Pullman conductors, etc.....	13	664
Other nontrespassers.....	2,592	7,777
Total.....	6,689	49,649

The corresponding totals for the calendar year 1925 were 6,364 persons killed and 47,993 persons injured.

In addition there were 401 persons killed and 80,586 injured in nontrain accidents in comparison with 402 killed and 89,442 injured in such accidents during the preceding calendar year.

There were 64 employees killed and 1,591 injured in coupling or uncoupling locomotives and cars as compared with 64 killed and 1,538 injured during 1925. Casualties to employees due to coming into contact with fixed structures resulted in 47 killed and 668 injured. There were 65 employees killed and 7,230 injured in getting on or off cars and locomotives.

During the year ended June 30, 1927, 291 cases of violation of safety appliance laws, comprising 782 counts, were transmitted to the United States attorneys for prosecution; cases comprising 404 counts were confessed and 67 dismissed, while 36 counts were tried, resulting in judgment for the Government on 14 and adversely to the Government on 22. Four counts decided in favor of the Government are being appealed by the carriers, and four counts decided in favor of the carriers are being appealed by the Government. One count pending decision last year was decided in favor of the Government. On one count in respect of which a circuit court of appeals last year affirmed the decision of a district court in favor of the Government, the Supreme Court denied the carrier's application for a writ of certiorari. The motion of the Government for a new trial as to one count pending last year has been granted, and the case is now pending in a district court. On June 30, 1927, there were pending in the various district courts 234 cases containing 612 counts.

There were 23 cases of violation of hours of service laws, comprising 121 counts, transmitted to United States attorneys for prosecution; cases comprising 87 counts were confessed, 7 dismissed, and 40 tried, resulting in judgment for the Government on 37 and adversely to the Government on 3. On June 30, 1927, there were pending in the various district courts 24 cases containing 156 counts.

The tests of power-brake devices referred to in our last report are still being conducted under the auspices of the American Railway Association and witnessed by representatives of our bureau of safety.

During the year the American Railway Association, cooperating with our bureau of safety, has adopted a uniform application of safety appliances to an improved design of box cars. Regulations for the maintenance of air brakes and air signal equipment formulated jointly by our bureau of safety and the American Railway Association has resulted in a uniform and material improvement in the condition of air-brake equipment.

Approximately 1,430,000 cars and locomotives were inspected. The number of defects per 1,000 inspected was 32.76. The corresponding record for the preceding year was approximately 1,445,000 inspected, with 40.02 defects per 1,000.

Hours of service reports were filed by 1,106 railroads, of which 745 reported no instances of service of their employees in excess of the limits prescribed by law. The remaining 361 railroads reported a total of 32,265 instances of excess service as compared with 42,200 instances of excess service reported by 352 railroads for the preceding year. This represents an increase of 2.5 per cent in the number of roads reporting excess service, and a decrease of 9,935, or 23.5 per cent, in the total number of instances of excess service reported.

We investigated 76 train accidents, of which 51 were collisions and 25 derailments. The collisions resulted in the death of 116 and the injury of 979 persons; the derailments resulted in the death of 77 and the injury of 220 persons, a total of 193 killed and 1,199 injured.

A detailed report concerning each accident investigated is made public when completed, and summaries of these reports are published quarterly.

In connection with the report upon an accident which was caused by a broken rail, due to a transverse fissure, data acquired in an investigation concerning the properties of steels used in rails and other railway materials have been published. During the year successful laboratory demonstrations have been made of a device for detecting the presence of transverse fissures in rails, and arrangements are being made for the application of this testing device to rails in place in the track.

During the calendar year 1926 there were 5,862 accidents at highway grade crossings which resulted in the death of 2,491 persons and the injury of 6,991. Automobiles figured in 4,970 of these accidents, 2,062 persons being killed and 6,358 injured. There were 22 derailments of trains as a result of collisions between trains and automobiles, causing the death of 11 persons and the injury of 54. In addition there were 4 derailments of trains as a result of collisions between trains and automobiles but without death or personnel injury. For purposes of comparison, corresponding records for the past three years are summarized as follows:

	1924			1925			1926		
	Number	Number of persons killed	Number of persons injured	Number	Number of persons killed	Number of persons injured	Number	Number of persons killed	Number of persons injured
Accidents at highway grade crossings.....	5, 127	2, 149	6, 525	5, 479	2, 206	6, 555	5, 862	2, 491	6, 991
Accidents at highway grade crossings involving automobiles.....	4, 145	1, 688	5, 650	4, 576	1, 784	5, 916	4, 970	2, 062	6, 358
Derailments of trains as a result of collisions between trains and automobiles.....	24	16	69	30	15	30	26	11	54
Automobiles registered.....	17, 591, 981			19, 954, 347			22, 001, 393		

MEDALS OF HONOR

The act of February 23, 1905, authorizes the President to bestow bronze medals of honor upon persons who by extreme daring endanger their own lives in saving, or endeavoring to save, lives from any wreck, disaster, or grave accident, or in preventing or endeavoring to prevent such wreck, disaster, or grave accident upon any railroad within the United States engaged in interstate commerce. During the fiscal year one application for award of a medal of honor as provided in this act has been filed and approved. An application for the award of such a medal posthumously filed with us during the last fiscal year was also approved.

Since the passage of this act 42 applications for medals have been filed; 27 have been approved and medals awarded and 15 denied.

BUREAU OF SERVICE

Increased volume of work in and around certain important gateways has indicated the advisability of dividing the country into zones, assigning a service agent to each zone, and establishing his official headquarters at one of the principal terminals therein. Effective January 1, 1927, therefore, 15 zones were created and headquarters of service agents were established at the following points: Boston, New York, Washington, Jacksonville, Buffalo, Detroit, Cincinnati, Chicago, Minneapolis, St. Louis, New Orleans, Dallas, Denver, San Francisco, and Portland, Oreg. The results so far indicate that this change will enable our service agents to keep in closer touch with transportation conditions at the most important gateways, and, through personal contact with shippers and railroad officials, more promptly adjust local matters of dispute and detect any abnormal situation which, if not promptly handled, might otherwise become so serious that it would result in formal litigation with its attendant expense upon all parties. It will also effect a saving in travel expenditures, although emergency conditions or investigation of through shipments will occasionally require service agents to travel outside of their respective zones.

SERVICE ORDERS

Since our last report we have found it necessary to exercise our emergency powers in three instances.

During April, May, June, and July, flood waters from the Mississippi and its tributaries inundated approximately 18,000 square miles in the States of Missouri, Arkansas, Louisiana, and Mississippi. Operation was suspended from 10 to 120 days on approximately 3,000 miles of railroad, making necessary the establishment of many new routes. To meet this situation Service Order No. 44

was issued April 23. It required, until our further order or direction, all carriers by railroad to forward traffic to destinations over the routes most available to expedite its movement and prevent congestion, without regard to routing instructions or ownership of the cars. Provision was made for an accounting as between the carriers to determine their respective divisions of the rates charged for transportation. This order was vacated on September 10.

The single-track line of the Texas & New Orleans was the only outlet west from New Orleans. Certain roads operating to the west were using the Texas & New Orleans tracks because of flood conditions. As the flood waters encroached upon this line the track for more than seven miles was raised from 16 to 24 inches by means of stringers in advance of the flood crest. As further rises which would close this outlet from New Orleans were imminent, the Texas & New Orleans appealed to us for relief and Service Order No. 45 was issued on May 23. This order authorized the Texas & New Orleans Railroad to install and operate a new service by water between New Orleans and the ports of Galveston and Houston as a substitute for rail service. This order was vacated on July 20.

Service Order No. 46 was issued effective August 9. It required the Toledo, Peoria & Western Railroad to permit the Chicago & Alton the continued use of its tracks between Washington, Ill., and Peoria, Ill. This emergency action was made necessary by developments in connection with a controversy between these two carriers as to the terms under which the Chicago & Alton should continue the use of the tracks of the Toledo, Peoria & Western from Washington to Peoria which, for more than 30 years, had formed a part of its route for passenger and freight service between Chicago and Peoria. This matter is now being disposed of by formal proceeding on complaint filed by the Chicago & Alton, docket No. 19918.

CAR-SERVICE MATTERS

At the time of our last report the movement of bituminous coal by tide through Hampton Roads, Va., was receiving much of our attention. The unprecedented demand for coal caused by the strike of coal miners in Great Britain taxed the pier facilities at Hampton Roads to capacity. Many vessels engaged in transporting the export coal did not normally handle that class of traffic, and were not properly equipped therefor. Many of these vessels contained more than one deck and required an excessive amount of hand trimming, while the vessels customarily engaged in the coal trade in coastwise movement are what are known as self trimmers. The time consumed in loading the vessels engaged in the foreign service retarded the prompt placement and loading of the vessels engaged in coastwise traffic,

and considerable difficulty was experienced by public utilities in New England in securing a regular supply of coal. After investigation and repeated conferences, this was largely overcome by the installation of a permit system on the Chesapeake & Ohio which provided for preference in the berthing of vessels which required less than 10 per cent of the cargo to be hand trimmed.

The large increase in the exportation of coal also had its effect upon the exportation of grain. A large portion of the seagoing vessels ordinarily used in transporting grain found it more profitable to transport coal. This resulted in more or less congestion at the Buffalo elevators owing to the steady influx of grain and the lack of shipping orders for movement to seaport, which required careful supervision and check of the movement of grain cars.

On April 1 the bituminous coal miners in Illinois, Indiana, Ohio, and western Pennsylvania, known as the central competitive field, went on strike. This walkout involved approximately 170,000 men. Later, on July 1, the central Pennsylvania mines were closed. This involved approximately 12,000 additional men. Scattered mines throughout Iowa, Missouri, Kansas, Arkansas, and Oklahoma were also closed. This required shifting large numbers of coal cars from the fields affected to other coal fields in order that the market might be supplied. By careful supervision and close check of the movements of cars through terminals and of their prompt return to the producing fields, shortage of cars and traffic congestions, due to the heavy movement and changes in routing, have been avoided. In October the strike was terminated in much of the affected territory with the exception of the Ohio and Pennsylvania districts.

In our last report we referred to the magnitude of the grape movement from California, and to the steps taken to insure an adequate supply of refrigerator cars to handle that movement. This necessitates the prompt placement of the cars by the carriers at destinations, prompt unloading by the consignees, and prompt return to origin territory by the carriers after release by the consignees. It would be of no avail to secure the prompt unloading of such cars by the consignees unless they are promptly moved by the carriers. Our service agents are required to check the return movement of these empty cars through important gateways, and, whenever delays are found, necessary steps are taken to expedite the movement.

The plan referred to in our last report was adopted by the railroads, private-car lines, and a large majority of growers and shippers in California for the equitable distribution of refrigerator cars for the movement of grapes. Under this plan California was divided into eight districts for the purpose of car distribution. Information as to the car requirements in each district is forwarded by its district committee to a central car-distribution organization several days in

advance of shipments. Formal complaint has been made that the plan discriminated against the interests of certain shippers and a hearing was held. Pending our decision in the matter the plan is in effect this year with some modifications as to district committees and a reduction of the period of advance notice from the shippers regarding car requirements.

During the past spring there was some congestion of traffic on the Long Island Railroad, principally at Long Island City and Bushwick, due in part to the unusually heavy movement and to inadequate switching and floating service. After conferences with the Long Island and its connections, arrangements were made to provide adequate floating service to handle peak movements which are usually encountered in the spring and fall of each year.

A congestion occurred on the Belt Railway of Chicago due in part to the holding of cars for Chicago & North Western delivery. Certain industries located on the Chicago & North Western had heavy accumulations which interfered with the making of prompt placements by the carrier, and resulted in the placing of a hold-order against the Belt. Investigation by our service agent at Chicago and conference with the railroads involved brought about better classification of cars and the detouring of empty refrigerators and line-haul business to an outer line, instead of being handled over the North Western. This relieved the situation.

During the heavy movement of export cotton through the port of Houston there was an accumulation of nearly 3,000 cars of cotton held in yards due to inability of compresses and warehouses to unload. In addition there were 1,036,000 bales in storage. The greater portion of this congestion was due to the limited terminal facilities of the International Great Northern and the dumping on that line by connecting carriers of cotton consigned to three of the five large shipside compresses. Our service agent joined with the port authorities and the carriers in an investigation of conditions at this port which resulted in plans for increasing the classification and storage facilities, zoning of their industrial work, and operating yard engines on a schedule which will result in improved service.

The rapid development of the Rio Grande Valley of Texas has created a demand for transportation for perishables which overtaxed existing facilities. Conferences were sought with Missouri Pacific officials at which the need for improved icing facilities and the extension and rearrangement of tracks were brought to their attention. This was followed by a joint investigation which resulted in improved facilities, and in action which will correct the previous deficiencies of operation.

A service agent was assigned to the peach-producing districts in Georgia and North Carolina during the season to keep us informed

as to the car supply and to check delays to and condition of equipment furnished. The crop was handled without car shortage.

EFFICIENCY AND ECONOMY OF OPERATION

One formal investigation concerning excess expenditures for construction and repair of equipment has been completed. An investigation concerning excess expenditures for rental of equipment has been completed.

Complaint alleging improper methods covering sale of scrap has been investigated. The matter was brought to the attention of the carrier with a view to eliminating the possibility of further complaint.

There are under way investigations concerning the cost of construction and repair of railway equipment at outside shops, expenditures for maintenance of way, and the use of private passenger train cars.

Under our order of July 6, 1925, requiring that carriers by steam railway file with us copies of contracts or agreements with construction or repair shops, other than their own, for the repair or rebuilding of locomotives, cars or other equipment, we have received in the aggregate contracts from 41 carriers covering repairs or rebuilding of approximately 230 locomotives, 37,500 freight cars, 525 car floats, 150 tugs, 625 barges, 120 ferry boats, 120 lighters, and 25 miscellaneous pieces of equipment. These contracts are being analyzed with a view to such further investigation as may seem appropriate.

Fuel consumption, freight locomotives, eight months ended with August 31

[Gross ton-miles per ton of coal]

1921-----	12, 374
1922-----	12, 681
1923-----	12, 270
1924-----	13, 277
1925-----	14, 390
1926-----	14, 693
1927-----	15, 325

Percentage of locomotives and freight cars unserviceable, United States

Period	Per cent of freight cars un- service- able	Per cent of locomotives unserviceable		Period	Per cent of freight cars un- service- able	Per cent of locomotives unserviceable	
		Road freight	Road passenger			Road freight	Road passenger
1920-----	7.0	24.5	24.8	1924-----	7.8	18.8	18.5
1921-----	13.1	24.0	23.1	1925-----	7.7	17.8	17.9
1922-----	12.8	25.5	23.5	1926-----	6.5	16.4	17.0
1923-----	8.0	21.6	20.8	1927 (8 months)----	5.9	16.5	16.4

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Since our last report, regulations for the safe transportation of explosives and other dangerous articles by land were amended by four formal orders containing 142 new or changed paragraphs and 23 new or changed specifications for containers. Further matters under consideration include regulations for metal tank cars resistive of strong acid corrosion, simplification of the regulations by general rearrangements, and cooperation with the forest products laboratory, Department of Agriculture, in the standardization and conservation of wooden container materials. Periodical public hearings were continued at which shippers and carriers presented their individual needs with respect to this traffic.

Violations of the regulations were reported in the handling of cars of high explosives in train yards and in the shipment of wool waste sufficiently wet to cause spontaneous heating in transit.

Comparison of accidents for 1925 and 1926:

Year	Number of accidents	Killed	Injured	Property loss
1926.....	1,466	3	38	\$1,144,067
1925.....	1,815	13	62	1,991,419

¹ Revised.

Eighty-eight per cent, or \$1,008,242, of the losses in 1926 occurred in the transportation of inflammable liquids. Of this amount the loss for gasoline was \$636,647 and for crude oil \$284,920. The loss for crude oil is far above the average; the gasoline loss is about the same as for the last 10 years. The principal cause was the derailment of cars and the ignition of leaking liquid. Although the property loss was greater, the number of accidents and the number of killed and injured were less than in 1925.

Accidents in explosives shipments:

Year	Number of accidents	Killed	Injured	Property loss
1926.....	20	0	9	\$46,011
1925.....	26	0	0	11,702

The percentage of loss charged to explosives as compared to the total loss for all articles of a dangerous nature was for 1926, 4 per cent, for 1925, 1 per cent.

The facilities of the bureau are used in the investigation of matters pertaining to railway operation and transportation. The

bureau has within the year participated in or has pending investigations or hearings relating to 35 formal cases.

Many informal complaints covering a wide range of subjects are handled to a conclusion. Those relating to operation or transportation either come direct to the bureau or are diverted to it.

REGIONAL ADVISORY BOARDS

In previous reports reference has been made to the regional advisory boards organized by the car service division of the American Railway Association and composed of carrier and shipper representatives. Fourteen such boards are now functioning, an increase of one during the past year. Their activities now cover practically the entire country and reports indicate increased attendance and membership.

COOPERATIVE TESTS

The tests referred to in previous reports which we are conducting in cooperation with the Department of Agriculture relative to refrigerating methods and appliances as used in the movement of perishables by rail are being continued.

We are also cooperating with the Department of Agriculture and the owners of refrigerator cars in tests to determine the efficiency of several methods of waterproofing refrigerator car floors. The disposal of water in the body of the car resulting from top and body icing and the protection of the insulation are the objects of this test and study. The data are now being compiled and will soon be available to those interested.

EMBARGOES

There have been no embargoes of country-wide application.

REVENUE FREIGHT LOADED

The quantity of revenue freight loaded was slightly less than in the preceding year. The aggregate loading is estimated at 52,600,000 cars, which compares with 52,935,000, 50,986,000, and 48,657,000 cars loaded in the 12 months ended October 31, 1926, 1925, and 1924, respectively. The carriers reported on line, available for service, a daily average of 230,000 railroad-owned serviceable freight cars which were idle because the supply exceeded the demand.

COAL

Bituminous-coal production is estimated at 554,000,000 net tons, compared with about 560,000,000, 505,400,000, and 480,986,000 for the

corresponding periods ended October 31, 1926, 1925, and 1924. For the same periods anthracite production totaled approximately 83,000,000 tons for 1927, 69,940,000 tons for 1926, 75,231,000 for 1925, and 89,239,000 tons for 1924.

The bituminous lake-cargo coal moved during the open season to October 31 plus the stocks at the head of the lakes on April 1 totaled 30,985,369 net tons, which exceeds all previous records for that period. Stocks on hand at the head of the Lakes as of April 1, with the tonnage dumped to October 31 for 1927 and previous years, are shown below:

Year	Bituminous stocks at the head of the Lakes Apr. 1	Net tons dumped into boats to Oct. 31	Stocks Apr. 1, plus tons dumped to Oct. 31
1922.....	3, 334, 228	14, 157, 929	17, 492, 157
1923.....	878, 856	25, 979, 765	26, 858, 621
1924.....	3, 180, 331	19, 609, 283	22, 789, 614
1925.....	2, 368, 131	22, 562, 464	24, 930, 595
1926.....	2, 318, 857	24, 395, 289	26, 714, 146
1927.....	1, 507, 198	29, 478, 171	30, 985, 369

The anthracite coal dumped into boats at Lake Erie ports aggregated about 1,538,000 net tons in 1927, 2,514,000 in 1926, 1,794,000 in 1925, and 2,799,000 tons in 1924.

NEW ENGLAND COAL

Receipts of bituminous coal in New England are estimated as 23,460,000 net tons, compared with 21,100,000, 20,500,000, and 18,500,000 tons during the 12-month periods ended October 31, 1926, 1925, and 1924, respectively. For the same periods anthracite receipts approximated 9,470,000 in 1927, 8,890,000 in 1926, 9,800,000 in 1925, and 10,925,000 tons in 1924.

EXPORT COAL

The domestic bituminous coal exported from January 1 to October 31 approximated 15,837,000 net tons in 1927, as contrasted with 25,299,000 tons during 1926 and 14,243,000 tons in 1925. Exports were augmented in 1926 by reason of the British coal strike.

GRAIN AND GRAIN PRODUCTS

The loading of grain and grain products in the 12-month period ended October 31, 1927, amounted to about 2,397,000 carloads, which compares with 2,414,000 in 1926, 2,322,000 in 1925, and 2,554,000 in 1924.

LIVESTOCK

The livestock movement aggregated approximately 1,558,000 carloads as against 1,613,000 in 1926, 1,677,000 in 1925, and 1,759,000 in 1924.

FOREST PRODUCTS

The loading of forest products is estimated at 3,465,000, 3,686,000, 3,755,000, and 3,687,000 carloads in the 12-month periods ended October 31, 1927, 1926, 1925, and 1924, respectively.

MISCELLANEOUS FREIGHT

Miscellaneous carload traffic approximated 19,545,000 carloads, compared with 19,445,000, 18,620,000, and 17,305,000 cars in the 12 months ended October 31, 1926, 1925, and 1924, respectively. Less-than-carload shipments of merchandise and other items aggregated about 13,416,000, 13,322,000, 13,132,000, and 12,561,000 carloads in the same periods.

PERISHABLE FREIGHT

The car-lot movement of fresh fruits and vegetables is estimated at 1,025,000 cars, as compared with approximately 991,000 and 968,000 for the corresponding periods ended October 31, 1926 and 1925.

REFRIGERATOR CARS IN SERVICE

Our report in the *Private Car Case*, 50 I. C. C. 652, 659, indicated that there were in service as of January 1, 1913, an aggregate of 103,508 refrigerator cars, of which 48,926 were owned by railroads and 54,582 by private interests.

Reports for September 1, 1927, show the total number of refrigerator cars on that date to be in excess of 160,000, of which 44,529 are owned by railroads.

It will be noted there has been a decrease of 4,397 in carrier-owned refrigerator cars and an increase of more than 60,000 privately owned refrigerator cars, thus indicating a strong trend toward private ownership of this type of equipment. The obvious purpose of this is to create a more fluid car supply which, properly administered, will more adequately meet the needs of the seasonal traffic for which such cars are designed.

BUREAU OF SIGNALS AND TRAIN-CONTROL DEVICES

ORDERS ISSUED IN DOCKET NO. 13413

In our last report we referred to specifications and requirements for the installation of automatic train-stop or train-control devices

adopted in June, 1922, and stated that by order served on 49 carriers each was directed to install by January 1, 1925, upon a full passenger-locomotive division included within a designated portion of its line, a device in accordance with these requirements. This order of June, 1922, is commonly referred to as the first order.

We further stated that in January, 1924, we adopted and served a second order on 47 of the original 49 carriers requiring each to install an automatic train-stop or train-control device upon a second full passenger-locomotive division, and each of 45 additional carriers made respondents under this order to install such a device on one full passenger-locomotive division within designated limits upon its line by February 1, 1926.

The report then set forth in detail that for cause shown various designated carriers had been exempted from the requirements of these orders and that the effective date of the orders in other instances had been suspended until our further order in so far as it affected certain other carriers.

During the past year there have been no changes in this respect, the first order applying to a total of 44 carriers and the second order to a total of 36 carriers, as at the date of our last report.

A statement showing, by roads, the number of miles of road and of track, and number of locomotives, equipped with train-stop or train-control devices under our order of June 13, 1922, appears in Appendix G.

EFFECTIVE DATES FOR ORDERS

As explained in our last report, in accordance with the decision of the United States District Court for the Southern District of New York in *Delaware & Hudson Co. v. United States*, 5 F. (2d) 931, certain of the carriers which were unable to complete their installations within the period provided, respectively, in each of our orders were granted an extension as to the effective date; additional time being granted in other cases upon a showing of cause.

PRELIMINARY INSPECTIONS

As foreshadowed in our last report, with the progressive publishing of reports on the final inspection and test for approval of completed installations—these covering the various types of train-stop and train-control systems being installed—requests for the making of preliminary inspections gradually decreased until they ceased entirely.

EXTENT OF INSTALLATION

There appear in Appendix G statements showing the miles of road and track and number of locomotives equipped in compliance with our order of January 14, 1924, together with summaries which indicate

the relative progress made toward completion of unfinished installations required under the orders of June 13, 1922, and January 14, 1924.

REPORTS ON ADDITIONAL INSPECTION AND TESTS

Reports after final inspection and test for approval of the completed installations made under our order of June 13, 1922, on the Cleveland, Cincinnati, Chicago & St. Louis Railway and under our order of January 14, 1924, on the Cleveland, Cincinnati, Chicago & St. Louis Railway and Louisville & Nashville Railroad, are in process of preparation.

INSPECTIONS IN PROGRESS

Final inspection and tests for approval are now in progress upon installations under the order of January 14, 1924, on the Galveston, Harrisburg & San Antonio, and Norfolk & Western.

VOLUNTARY INSTALLATIONS

Some installations of train-stop or train-control devices have been made beyond the requirements of our orders. A list of these together with mileage and locomotives so equipped appears in Appendix G.

FOREIGN LOCOMOTIVES EQUIPPED

In Appendix G are listed the foreign-line locomotives which have been equipped with train-stop or train-control devices for operation over installations made by other carriers in compliance with our orders.

FURTHER INVESTIGATION

By order served upon 168 Class I carriers by railroad as of July 22, 1927, a further investigation into and concerning installations of automatic train-stop and train-control devices, and, in addition thereto, block-signal systems, including specifications and requirements in respect thereof, was entered upon with a view to determining whether, and to what extent, existing installations of these devices and systems now in use on the lines of Class I carriers by railroad subject to the interstate commerce act, excluding switching and terminal companies, are adequate, and if found inadequate, what additional installations should be made to the end that increased safety in train operation may be obtained. Each of the carriers made respondent in this proceeding was required to furnish to us under oath the information called for in a comprehensive question-

naire which was made part of the order. The replies to this questionnaire have now been received and are being tabulated for study. The proceeding will be assigned for hearing in due course.

EXAMINATION OF PLANS

During the year plans and specifications of 14 train-stop and train-control devices were submitted for examination and report. Of these, 10 were found to be impracticable or unworthy of further consideration in the form presented while four possessed sufficient merit to warrant further development. Of the latter, one was of the continuous induction type and three of the intermittent induction description.

CHANGES IN INSTALLATIONS

During the year the Chicago, Indianapolis & Louisville Railway Co., which had completed installation of a train-stop device under our first order, was granted permission upon petition to substitute for this an installation of another type of train-stop device uniform with that which this carrier desired to install under our second order.

The Pennsylvania Railroad Co., which had completed installation of a train-stop device under our first order, was granted permission to modify its installation in certain respects so as to make this installation uniform with the installations standard on other lines of the Pennsylvania system.

TRAIN STOP OR TRAIN CONTROL WITHOUT WAYSIDE SIGNALS

Our last report contained an excerpt from our order of June, 1922, reading—

We have decided not to limit by our order the installation of automatic train-control devices to roads, or portions of roads, already equipped with automatic block signals, because we have no desire to discourage efforts to automatically control trains without the aid of fixed wayside signals. The statement, therefore, of the primary function of automatic train-stop or train-control devices recognizes the possibility of installing such a device without the use of automatic block signals. The statement referred to reads: "In prevailing practice the primary function of automatic train-stop or train-control devices is to enforce obedience to the indications of fixed signals; but the feasible operation of essentially similar devices used without working wayside signals may be regarded as a possibility."

In connection with this, it is of interest to note that the installation of the Illinois Central Railroad, made under our first order, in which is employed the continuous stop device of the Union Switch & Signal Co., is without wayside signals, dependence being placed upon cab signals carried on the locomotive. The automatic block signals which were in use on this portion of the Illinois Central were removed by

the carrier when the train-stop was installed. On the Iowa division of this carrier automatic block signals had never been provided. Here, the line consisting of single track, the roadway equipment of the train-stop installation made pursuant to our second order was designed upon the A. P. B. principle (absolute block for opposing movements and permissive block for following movements on the same track), and is without wayside signals except as to certain stop-and-stay signals at station headblocks.

The installation of the three-speed continuous device of the Union Switch & Signal Co. on the Atchison, Topeka & Santa Fe Railway between East Fort Madison and Chillicothe, Ill., differs from the usual installation. This system consists of complete cab signaling and automatic speed control in connection with a number of interlocking plants, the automatic speed control being in effect for movements in both directions on each of the tracks of the double-tracked line. With the exception of interlocked home signals no wayside signals are provided. Trains are operated by cab-signal indications, except that crossover movements from one track to the other are made upon interlocker home signal indications.

Another unusual installation is that of the Missouri Pacific between Leeds, Mo., and Osawatomie, Kans., where the train-stop device employed is of the intermittent magnetic induction type without forestalling feature. Here a controlled manual block system, with 19 intermediate automatic block signals, is in use.

FALSE-CLEAR OPERATIONS OF TRAIN-STOP AND TRAIN-CONTROL DEVICES

A tabulation showing by types of devices and relative percentages the false-clear train-stop or train-control operations for the past year will be found in Appendix G.

SUMMARY BY TYPES OF DEVICES

The relative extent to which the four general types of train-stop or train-control devices, viz, continuous induction, intermittent induction, magnetic induction, and intermittent electrical contact, have been installed is shown in tabular statements in Appendix G.

ACCIDENTS AND TRAIN CONTROL

The two accidents described below occurred in connection with brake applications made by train-stop devices under the circumstances set forth:

New York Central Railroad.—On May 6, 1927, train DZ-4, locomotive 2731, on track 4, at signal 22534, North Ilion, N. Y., on the Mohawk division of the New York Central, received an "approach

next signal at restricted speed " indication, the engineman, due to fog, not being able to forestall in time to prevent an automatic application of the brakes. The train contained 112 cars and the carrier reports that, the automatic application having been thus initiated, "instead of the brakes continuing to apply in service on all cars, undesired quick action developed account of erratic action of triple valve on car NYC 256021, which was the 24th car from head end. The brakes applying on head cars in service first, causing slack to run in violently, prevented quick action from carrying through to head end, consequently the usual warning of emergency occurring, i. e., exhaust at brake valve stopping momentarily, was not had on locomotive." The report further states that the 74th car, which was of light capacity, "did not withstand the shock of the run-in." When this car failed, it, with five other cars in the train, was derailed, these cars fouling tracks 4, 3, and 1 in the path of passenger train 39, which, running westward on track 1, collided with the derailed cars. This accident occurred on territory equipped under our order of June 13, 1922.

Southern Railway System.—On June 21, 1927, Southern Railway locomotive 6199 in work-train service near Mayday, Ga., on the G. S. & F. division of the Southern Railway was handling four cars upon one of which (a flat car) was a ditching machine designed for moving under its own power on rails which were laid upon this flat car. The cars of the train were being pushed ahead of the locomotive and in moving over an inductor at an automatic block signal which was at stop on account of the position of the cars with respect to the locomotive, the brakes were automatically applied, bringing the train to a stop. The ditching machine was not blocked or chained to its rails on the car and it moved forward, fatally injuring a laborer who was riding between the ditching machine and a tie bolted crosswise on the end of the car. The engineman claimed that he was unable to forestall the brake application.

This accident occurred on a division voluntarily equipped by the carrier; that is, on an extension of its installation beyond the limits prescribed by our orders, the device being the same as that installed in territory prescribed by our orders.

RECORD OF ACCIDENTS

The record of accidents investigated by our forces for the year ended June 30, 1927, shows 76 collisions and derailments, in which 193 persons were killed and 1,199 injured.

The above figures include 1 derailment of a passenger train due to collision at a grade crossing with an automobile, resulting in the

death of the 2 occupants of the automobile and the injury of 16 persons on the train; and 5 collisions involving hand cars or gasoline-motor cars which resulted in the death of 17 persons and the injury of 32 persons; a total of 6 accidents resulting in 19 deaths and the injury of 48 persons which have not been taken into consideration in the statement below.

These accidents may be divided into four groups: (1) Derailments; (2) collisions in automatic-signal territory; (3) collisions in nonautomatic-signal territory; and (4) collisions in time-table and train-order territory and yards.

The following table shows the number of accidents in each group; the number upon which the finding of our bureau of safety was that "Had an adequate block-signal system been in use on this line, this accident probably would not have occurred; an adequate automatic train-stop or train-control device would have prevented it"; the number upon which the finding was "Had an adequate automatic train-stop or train-control device been in use on this line this accident would not have occurred"; and the number of persons killed and injured in such preventable accidents.

Accidents investigated

Group	Number of accidents	Number of persons killed	Number of persons injured	Probably preventable by train stop or train control			Possibly preventable by block signals; preventable by train stop or train control			Not preventable by block signals, train stop; or train control		
				Number of accidents	Number of persons killed	Number of persons injured	Number of accidents	Number of persons killed	Number of persons injured	Number of accidents	Number of persons killed	Number of persons injured
1.....	24	75	204	-----	-----	-----	4	6	34	20	69	170
2.....	14	29	533	6	8	274	-----	-----	-----	8	21	259
3.....	12	31	222	3	4	43	5	22	150	4	5	29
4.....	20	39	192	1	1	4	10	17	134	9	21	54
Total....	70	174	1,151	10	13	321	19	45	318	41	116	512

The number of preventable accidents as above indicated, the number of persons killed, and the number injured in such preventable accidents, represents 41.4, 33.3, and 55.5 per cent, respectively, of the total number of accidents investigated, persons killed, and persons injured.

BUREAU OF STATISTICS

This bureau received 2,220 annual reports for the calendar year 1926, classified as follows:

Steam-railway companies:	Number of annual reports
Class I.....	180
Class II.....	296
Class III.....	359
Switching and terminal.....	225
Lessor.....	395
Total.....	1,455
Electric railways.....	253
Sleeping-car companies (Pullman).....	1
Express companies.....	2
Telephone companies.....	317
Telegraph and cable companies.....	14
Water lines.....	144
Pipe lines.....	34
Grand total.....	2,220

In addition to the above, brief reports in circular form are filed by the very small railway companies. Class I steam railways, annual revenues above \$1,000,000, also file monthly reports of revenues and expenses, operating statistics, wage statistics, fuel consumed by road locomotives, railway accidents, and various other periodical and special reports. The large telephone companies, those having annual revenues amounting to \$250,000 and over, of which there were 70 on December 31, 1926, file monthly reports of revenues and expenses. From those reports statistical statements are regularly prepared for our use, and are published. The principal publication prepared by this bureau is the Annual Report on the Statistics of Railways in the United States, which also contains statistics based on the monthly and quarterly reports of railways, as well as selected data relating to other common carriers subject to the interstate commerce act.

The following reports are now regularly issued from the bureau of statistics:

ANNUAL REPORTS

- Preliminary Report of Capitalization and Income, Class I Steam Railways.
- Freight Commodity Statistics, Class I Steam Railways.
- Comparative Statement of Operating Averages, Class I Steam Railways.
- Wage Statistics, Class I Steam Railways (including 13 switching and terminal companies).
- Preliminary Abstract of Statistics of Common Carriers.
- Text of the Annual Report on the Statistics of Railways in the United States.
- Annual Report on the Statistics of Railways in the United States, including also selected items from periodical reports of other classes of common carriers.
- Accident Bulletin—Steam Railways.
- Selected Items from the Annual Reports of Carriers by Water.
- Selected Items from the Annual Reports of Telegraph and Cable Companies.
- Selected Items from the Annual Reports of Pipe Line Companies.

Selected Items from the Annual Reports of Electric Railways.

Selected Items from the Annual Reports of Telephone Companies.

QUARTERLY REPORTS

Summary of Freight Commodity Statistics of Class I Steam Railways.

Summary of Accidents Reported by Steam Railways.

MONTHLY REPORTS

Operating Revenues and Operating Expenses, Class I Steam Railways.

Operating Revenues and Operating Expenses of Large Steam Roads—Selected

Items for Roads with Annual Operating Revenues above \$25,000,000.

Operating Statistics of Large Steam Roads—Selected Items for Roads with Annual Operating Revenues above \$25,000,000.

Freight and Passenger Service Operating Statistics of Class I Steam Railways in the United States.

Fuel for Road Locomotives in Freight and Passenger Train Service (Charged to Operating Expenses), Class I Steam Railways in the United States.

Wage Statistics—Class I Steam Railways.

Revenue Traffic Statistics of Class I Steam Railways.

Summary of Monthly Reports of Large Telephone Companies.

Summary of Accidents Reported by Steam Railways.

In addition to the preparation of these statistical statements, studies or analyses are frequently prepared in this bureau in connection with rate cases or other investigations.

In Appendix C will be found statistical summaries of railway development since 1908 and abstracts of recent monthly and other periodical reports.

The financial results of operation are reviewed in a separate section of this report. Although the mileage of steam railway lines in the United States declined somewhat in the decade ending with 1926, the length of second and additional main tracks increased 21.4 per cent, and the miles of yard track and sidings increased 17.3 per cent in the same period. In this decade the number of locomotives increased only slightly, but the average tractive power per locomotive increased 26.5 per cent. Similarly, the number of freight cars (not including privately owned cars) increased only from 2.3 millions to 2.4 millions in 10 years, but the average capacity of freight cars was 45 tons in 1926 as compared with 40.9 tons in 1916. The increase in the average number of tons per loaded freight car was less than the increase in capacity, having been 24.98 tons in 1916 and 27.35 tons in 1926. But the number of loaded cars per train increased to such an extent that the number of tons of revenue freight per train was 701 in 1926, against 560 in 1916, an increase of over 25 per cent in 10 years.

The amount of tonnage originated by the steam railways in 1926 was 1.44 billions, as compared with 1.32 billions in 1916, then a record tonnage, an increase of 9.1 per cent in a decade. But the average ton

The absolute figures are of interest as bringing out more clearly the effect of business depression and revival. In the depression of 1921 the falling off was in products of mines, products of forests, and manufactures, not in agricultural products or livestock:

Tons of freight originated by Class I railways (millions of tons)

Class	1926	1925	1924	1923	1922	1921	1920
Products of agriculture.....	112	109	117	109	112	114	111
Animals and products.....	26	26	28	28	26	24	27
Products of mines.....	758	678	638	714	533	511	712
Products of forests.....	105	107	108	116	89	76	101
Manufactures and miscellaneous.....	296	285	257	268	220	172	252
L. c. l. freight.....	39	41	41	44	43	42	53
Total.....	1,337	1,247	1,187	1,279	1,024	940	1,255

Railway employment reached its peak in 1920. In that year Class I railways, including switching and terminal companies, reported an average of 2,054,160 employees, and the time worked aggregated 5.53 billion hours. Although the freight business was greater in 1926 than in 1920, the employment in 1926 was 1,805,780 persons and the time worked 4.57 billion hours, a reduction of over a quarter of a million in the number of employees and nearly a billion hours in time worked. For the fiscal year ended June 30, 1927, these railways reported an average of 1,798,495 employees receiving a total compensation of 3 billion dollars, which was about double the aggregate compensation of 1916, the compensation per employee per annum having increased about 80 per cent in the decade. During the past four years the tendency of railroad wages has been upward, as shown by the following statement of earnings per hour:

Average straight-time earnings of employees paid on an hourly basis (cents per hour)

Group	1926	1925	1924	1923	1922
Professional, clerical, and general.....	58.9	58.4	57.9	56.6	56.4
Maintenance of way and structures.....	43.2	43.1	42.9	42.2	41.6
Maintenance of equipment and stores.....	60.0	59.2	58.6	57.4	58.4
Transportation other than train engine and yard.....	54.9	54.4	54.1	52.9	52.9
Transportation (yardmaster, switch tenders, and hostlers).....	64.9	64.6	62.9	60.8	60.6
Transportation (train and engine service).....	78.3	78.1	76.3	73.6	73.6

The statistics of railway accidents show a decided tendency in the direction of greater safety. Over a long period of years the improvement is striking. So recently as 1917 the number of railway fatalities was over 10,000. In 1926 the corresponding number was about 7,000. The number of railway accidents fluctuates to some extent with the volume of business done, but if a comparison is made between the figures for 1926 and 1923, two recent years of large

traffic, it appears that the safety efforts of the railways are making themselves felt.

Number of persons killed in railway accidents

Class of person	1926	1923	Decrease
Trespassers.....	2,561	2,779	218
Employees.....	1,371	1,645	274
Passengers.....	152	138	¹ 14
Persons carried under contract.....	13	21	8
Other nontrespassers (chiefly at grade crossings).....	2,592	2,339	¹ 253
Total train and train service.....	6,689	6,922	233
Nontrain.....	401	463	62
Total.....	7,090	7,385	295

¹ Increase.

Of the total persons killed in train and train-service accidents in 1926 on steam railways, passengers and nontrespassing employees constituted 22.8 per cent. The bulk of the fatalities are about equally divided between trespassers and persons struck at highway grade crossings. Trespasser fatalities number about one-half as many annually now as 10 years ago, a striking improvement. Grade-crossing fatalities for 1926, on the other hand, were over 50 per cent greater than the number 10 years ago.

BUREAU OF TRAFFIC

As stated in our last report, the principal functions of this bureau are to act in an advisory capacity in connection with the disposition of formal cases, especially those involving general policies and the more important and extensive rate adjustments; to settle through informal negotiations between shippers and carriers as many controversies as possible without litigation; and to handle administrative matters connected directly with rates and tariffs.

With a view to promoting the correct publication, simplification, and uniformity of tariffs, we have had under consideration for some time the matter of a much-needed revision of our Tariff Circular 18-A, which contains rules governing the construction and filing of tariffs and classifications. Criticisms and suggestions made by carriers and shippers with respect to proposed changes are now being considered, and it is expected that the revised rules will be promulgated in the near future.

In previous reports we referred to modifications in the posting requirements of section 6 so as to relieve carriers of the necessity of posting large and expensive tariffs at small and unimportant shipping points where it appeared that such modification would not adversely affect the public interest. These modifications were originally made effective for an experimental period of one year, but in in-

stances where during that period no requests were made by shippers for posting of the tariffs at such points the limitation of one year was removed, subject, however, to the condition that the tariffs must be posted if request therefor is made by any shipper.

Continued progress is being made toward securing a more unified rate structure through the medium of various rate investigations embracing as to certain territories the rate structure generally or particular descriptions of traffic, and referred to elsewhere in this report.

SECTION OF TARIFFS

There were filed 94,942 tariff publications containing changes in freight, express, and pipe-line rates, passenger fares, and freight classification ratings. In addition thereto 1,144 publications were received for filing but were rejected for failure to give the notice required by the statute. Powers of attorney and certificates of concurrence were also filed aggregating 35,680. Applications received seeking special permission to establish rates or fares on less than statutory notice, or waiver of certain of our tariff-publishing rules, numbered 5,549. Specific orders were entered granting 4,585 and denying 588 of these applications. The remainder were disposed of otherwise. Correspondence relating to tariff construction in accordance with our rules and regulations promulgated under section 6 of the act consisted of 36,652 letters received and 29,982 letters written. For our own use, as well as for the use of other branches of the Government and of shippers, 12,284 rate memoranda were prepared. Our duplicate tariff file has been maintained for the use of the public.

SUSPENSIONS

Rate readjustments were protested and suspension asked in 590 instances, a decrease of 53 under last year. These protested adjustments, of which 71 represented reductions and 519 increases in rates, covered not only a large number of rate schedules but many thousands of rates.

The following action was taken on the requests for suspension:

Suspended-----	215
Refused to suspend-----	183
Schedules rejected, requests for suspension withdrawn, or protested schedules withdrawn-----	192
Total-----	590
Proceedings pending from previous year-----	164
New proceedings on suspension docket-----	215
Total-----	379

Of this number 200 were disposed of, a decrease of 15 from last year, 124 after formal hearing and report, and 76 through informal proceedings without report.

THE FOURTH SECTION

The number of applications received was 276. The number of orders entered in response to applications was 248, of which 166 were denial orders or orders granting permanent relief and 82 authorizing temporary relief.

Of the orders entered, 41 were in response to applications included among the 5,031 applications for authority to continue fourth-section departures existing at the time the amendment of June 18, 1910, became effective. Two hundred and five were in response to applications filed subsequently, and 2 were in response to both old and new applications.

Applications or portions thereof withdrawn after correspondence with carriers numbered 51; orders or portions thereof granting relief, 186; orders or portions thereof denying relief, 54; applications assigned in whole or in part for hearing in connection with other proceedings, 136; and 335 applications or portions thereof were heard in independent fourth-section proceedings.

The number of petitions for modification of orders was 70, of which 58 were granted, 4 were denied, and 8 are still pending.

Substantial progress has been made in the disposition of applications filed under the 1910 amendment to the fourth section. Of the 889 which remained undisposed of in our file on October 31, 1926, hearings have been held on 266 or portions thereof. Of those heard, 73 have been disposed of in their entirety and 167 in part. Fourteen of these applications have been disposed of as a result of correspondence with the carriers. The number still awaiting final action is 802.

Since our last report the proceedings known as *Consolidated Southwestern Cases*, 123 I. C. C. 203, involving class and commodity rates between points in the Southwest and Kansas-Missouri territory, on the one hand, and points east of the Rocky Mountains generally, on the other, have been concluded. All applications filed pursuant to the June 18, 1910, amendment to the interstate commerce act that protect departures in the present rates from and to points considered in that proceeding have been denied.

Numerous applications which covered rates between Pacific coast ports were disposed of in *Pacific Coast Fourth Section Applications*, 129 I. C. C. 3.

CLASSIFICATION OF FREIGHT

In our last report we referred to a general fourth-section order, issued in 1925, giving carriers parties to the three major classifications

somewhat greater latitude under the fourth section than they formerly had in making changes in those classifications, and to the fact that the carriers thereafter, in 1926, filed a fourth-section application asking to be relieved entirely from observance of the fourth section in such matters. In the absence of such complete relief the carriers had adopted a policy of refusing to make any classification changes except in compliance with orders issued by us in formal proceedings and, in order to provide for necessary classification changes covering new articles of commerce or new methods of shipping old articles, we granted the carriers temporary fourth-section relief with respect to classification changes not entailing increases in rates or charges. Our decision on the application was rendered June 29, 1927, *In the Matter of Fourth Section Departures Resulting from Changes in Classification*, 129 I. C. C. 187. We found that the applicants, in seeking relief from all fourth-section departures which might in the future result from classification changes, had not presented a special case, as that term is used in the amended fourth section, and, with the exception hereinafter stated, the application was denied. We further found that differences between the ratings in the southern classification, on the one hand, and those in the official and western classifications, on the other, were more numerous and marked than the differences between the official and western classifications; and that those differences, coupled with the numerous irregularities in the existing class-rate scales governed by the southern classification, made it difficult or impossible to make changes in the southern classification without creating fourth-section departures. Under those circumstances and in view of the fact that we had previously approved uniform distance scales of class rates to be governed by the southern classification, and that the southern carriers were then preparing to establish rates based on such scales, we granted carriers parties to the southern classification relief from the long-and-short-haul provision, but not the aggregate-of-the-intermediates provision, of the fourth section with respect to departures resulting from changes in the southern classification, until such time as the new class rates were made effective.

Following our decision, the carriers have continued in their attitude of refusing to make any voluntary classification changes, and in September they filed a petition for reconsideration of their original application. That petition is now pending. Numerous shippers affected by the carriers' refusal to make classification revisions to meet the needs of their particular forms of traffic have asked that we withdraw the order issued in 1925, such shippers being under the erroneous impression that the carriers are prevented by that order or some order from making classification changes.

Because of the situation above described, the number of changes in classification ratings during the year fell to 48 in the official, 45 in the southern, and 61 in the western classification. All of these were reductions, except that in the western classification six increases were made. The total number of changes, 154, is less than one-fourth of the number made in the year ending October 31, 1925.

In *Consolidated Southwestern Cases*, *supra*, we found that in constructing class-rate scales governed by the western classification between points in southwestern territory, and between points in that territory and practically all other points in the United States north and east thereof, the classes below first class should reasonably bear the following relationships, in terms of percentage, to the first-class rates:

1	2	3	4	A	5	B	C	D	E
100	85	70	55	45	38	32½	27½	22½	17½

The percentage relationship to first class of the rates in the new scales below third class will be generally lower, and in many cases substantially lower, than is the case under the scales which they will supersede. The result, it is believed, will be to make unnecessary the continuance of some of the numerous commodity rates and classification exceptions under which so large a proportion of the carload traffic in the Southwest now moves. For the five upper classes the percentage relationships are the same as those fixed in *Southern Class Rate Investigation*, *infra*, for the corresponding classes of rates governed by the southern classification. This identity of percentage relationships in the two sets of rates will permit of unification of the ratings in the southern and western classifications for commodities in those classes, principally less-than-carload traffic, and such uniformity in ratings will, in turn, correct numerous cases of undue prejudice and preference which have heretofore existed on traffic moving between the South and the Southwest or in either of the two competitive traffic channels on the east and west banks of the Mississippi River. It was not found possible to extend uniformity in class-rate percentages between the southern and southwestern scales below the five upper classes, as adherence to the southern relationships for the lower classes of the southwestern scale would have necessitated the addition of two classes to the western classification and an extensive regrouping of commodities in that classification, both of which were matters not placed in issue by the pleadings in the *Consolidated Southwestern Cases*.

EXPRESS

The express class-rate situation has remained practically unchanged during the year, the class rates in force being those made effective March 1, 1925, in compliance with *Express Rates 1922*, 83 I. C. C. 606; 89 I. C. C. 297. The basis for interstate rates was also adopted and made effective upon intrastate traffic in all of the States but one, thus resulting in substantial uniformity throughout the country.

BUREAU OF VALUATION

THE COMPLETION OF PRIMARY VALUATION

We are making satisfactory progress under the three-year program, which was designed to complete by June 30, 1928, the primary valuations of the steam, sleeping-car, and telegraph carriers included in that program. The prospects are favorable for the substantial completion of that undertaking. In a few cases, however, involving large systems, the extended and elaborate presentations of the protestants in the hearings provided for by statute may prolong the time required. It is possible that hearings as to one system and one or two individual carriers can not be begun until in January. Despite this fact, indications point to the submission of the great majority of cases before June 30 next. This includes the writing of briefs, hearing of oral arguments, and preparation of reports for final consideration in cases not yet decided. We do not understand that the three-year program contemplates the announcement of our final conclusions in all cases by or prior to June 30, 1928, but the indications are favorable for early disposal of cases which may not be decided by that date.

The work of primary valuation is so obviously nearing an end that, as hereinafter stated, we are already turning our attention to, and organizing our staff for, the work of bringing valuations down to a later date. Such minor parts of primary valuation as may not be closed on June 30 next can be completed without interfering with or delaying that work.

UNDERLYING AND TENTATIVE REPORTS

All underlying accounting, engineering, and land reports on steam railroads covered by our program of valuation have been served on the carriers concerned and revised or otherwise made final for use in preparing tentative valuations. The properties concerned have an aggregate mileage of 243,397 miles of road (not including the mileage

of second or other additional main tracks or sidings) and are covered by 1,047 reports, listing 1,697 corporations.

We have completed the service of all tentative valuation reports upon steam railroads. The tabular statement below sets forth the information indicated as of October 31, 1926, and October 31, 1927.

Served to—	Number of reports	Number of corporations	Miles of road ¹	Percentage of total mileage
Oct. 31, 1926.....	885	1, 318	160, 453	65. 92
Oct. 31, 1927.....	1, 047	1, 697	243, 397	100. 00

¹ Not including miles of second or other additional main track or of sidings.

In addition to the above the underlying reports on the Pullman Co., the Western Union Telegraph Co., and the Mackay companies (Postal) have been completed and made available for the preparation of tentative valuations. Underlying, tentative, and final reports have been made on several of the minor telegraph companies and, in a few instances, on water lines and electric railways closely affiliated with steam roads under valuation.

Since the completion of our field inventories a number of new railroads representing approximately 2,500 miles have come into existence. Their valuation will be made as an incident to the larger task of bringing all valuations down to a later date.

HEARINGS AND FINAL REPORTS

Hearings on protests of tentative valuations have been concluded in 597 cases representing 165,544 miles of road, or 68.01 per cent of the total mileage. In addition protests in 92 cases, representing 47,064 miles of road, or 19.34 per cent of the total mileage, have been partially heard. Hearings in all other cases where protests have been filed have been set for November and December.

Final value reports have been issued in 608 cases, covering 52,597 miles of road, of which 252, covering 42,804 miles, were decided after hearings on protests of the tentative valuations. The remaining cases, 356 in number and representing 9,793 miles, were concluded and reported in default of protest within the statutory period of 30 days. The reports in 2 other cases, covering 7 miles, as to which no protests were filed within the prescribed time limit, are in process of issue. Final valuations have therefore been reached in 610 cases, covering 52,604 miles or 21.61 per cent of the total mileage. This, however, does not measure the advance toward disposal of cases, as the work is far advanced on many reports in the case of carriers whose hearings have been concluded. In the 252 cases

decided we have passed on many troublesome issues that are present in cases yet to be decided and this should have the effect of expediting their disposal.

CONFERENCES

The plan of procedure by formal conference in valuation matters described at some length in preceding reports has been followed in the presentation of numerous cases in the past year and, as we believe, has been of material assistance in expediting the disposition of many issues in the carriers' protests of tentative valuations. Many of the large and important cases have been handled satisfactorily by this procedure. Our impression of the results secured through the use of this procedure has been most favorable.

RECAPTURE PROCEEDINGS

Proceedings for the recapture of excess earnings under section 15a of the act were concluded during the year in two cases covering 1,114 miles of road. Our forces are engaged in the preparation of data for several other cases, some of which involve properties of major importance, and also on litigation now pending in the courts to which reference is made in another part of our report.

VALUATION ORDER NO. 3

As has been explained in our previous reports this is one of our valuation orders issued in connection with the requirement of paragraph (f) of section 19a of the act, as follows:

Upon the completion of the valuation herein provided for, the Commission shall thereafter in like manner keep itself informed of all extensions and improvements or other changes in the conditions and value of the property of all common carriers, and shall ascertain the value thereof and shall from time to time revise and correct its valuations * * * .

An increased appropriation beginning with the current fiscal year has made it possible to prosecute this feature of our work much more vigorously than in the past. Material additions have been made to our forces engaged in this work so that the average number for the year covered by this report has been 80, of whom 55 have been assigned to the work of policing and checking the carriers' records in the field. Our present field force is double the average force in service during the year covered by our last report.

Preliminary examinations for the purpose of ascertaining the general condition of the carriers' records have been made in the offices of 590 companies. Field examinations have been completed on 212

operating systems aggregating about 75,000 miles of road. These examinations covered an average period of 7 years subsequent to the various dates of valuation. Field examinations are now in progress on 39 operating systems aggregating about 60,000 miles of road. These examinations cover an average period of 9 years subsequent to the various dates of valuation and are considered to be approximately 50 per cent complete, making an equivalent of 30,000 miles completed.

BRINGING VALUATIONS DOWN TO A LATER DATE

Nearing the completion of the primary valuation we are now at the beginning of the work of bringing valuations down to a later date. We reiterate the recommendation made in our thirty-seventh and fortieth annual reports with regard to the amendment of section 19a of the interstate commerce act in connection with this work, and earnestly recommend action on this subject.

In our thirty-seventh report we said:

Our experience prompts serious doubts as to the practicability of proceeding in "like manner" in bringing valuations down to date. There must be general recognition of the fact that employment of the methods used in making the basic valuation would be cumbersome. The results would always be unsatisfactory because valuation would always be greatly in arrears of the time of its use, necessitating resort to estimates and other expedients to bridge a considerable interim.

We again invite serious consideration of the necessity for some amendment of the valuation statute in this particular. We there said (p. 18):

Amendments have been suggested embodying different theories as to the proper method to be adopted, in substance as follows:

(1) An amendment providing that from and after completion of the valuation of the property of a carrier as of a fixed date, the commission shall from time to time, as it may have occasion to use the same, bring the valuation to date by adding to or subtracting from its original basic valuation of the property the net property changes, measured in dollars and cents, that are properly chargeable to or deductible from property account.

(2) An amendment providing that, from and after completion of the valuation of the property of the carrier as of the designated valuation date, the commission shall from time to time, according as it may have occasion to use the value of the property in performance of duties imposed on it by the act, ascertain and determine the condition and value of property on subsequent dates, taking into account any changes in such condition or value which may have taken place subsequent to the last preceding valuation date, and giving due consideration to all the elements of value recognized by the law of the land.

Both of the above necessarily contemplate the close policing and checking of property accounts, a work that already has been commenced. * * *

CLASS-RATE READJUSTMENTS

In our last report mention was made of the comprehensive investigations of class rates which have been in progress during the past few years and which we hope and believe will result in rate structures of far greater uniformity and simplicity than those which now exist, also paving the way for similar revisions of many commodity rates. In No. 13494, *Southern Class Rate Investigation*, covering all the interstate class rates within southern territory and most of the class rates between that territory and official territory on the north, the work is nearing completion, and it is anticipated that the new rates will become effective not long after the end of the present calendar year. Following the original report in 100 I. C. C. 513, petitions were filed by both shippers and carriers seeking various modifications of the findings, and these petitions were considered and passed upon in supplemental reports, 109 I. C. C. 300, 113 I. C. C. 200, and 128 I. C. C. 567. Various changes in the original findings were made, and no doubt other improvements will from time to time be made as the result of experience after the rates become effective. We are confident, however, that the new rates will represent important and marked progress toward a harmonious, stable, and comparatively simple rate structure.

Of equal, and in some respects greater, importance is the report in *Consolidated Southwestern Cases*, 123 I. C. C. 203, decided April 5, 1927, embracing interstate class and many commodity rates within the Southwest and between official, southern, and western trunk-line territories and the Southwest, including not only all-rail rates but also many rates over ocean-and-rail routes. Corresponding intrastate rates within the Southwest are also affected to a certain extent. The adjustment prescribed, like that in No. 13494, is based largely on distance, although grouping is employed in the case of the longer-distance rates. The rates will harmonize with those prescribed in No. 13494, or at least have been constructed with that intent, and will greatly simplify a rate structure which has been among the most unsatisfactory in the entire country. The principle, perhaps not wholly new but never before so extensively employed, has been followed of relating commodity rates to the class-rate structure by basing them on various percentages of the first-class rates. The effect is to add to the 10 classes which have existed in western territory several other classes of related rates which can be utilized for commodity-rate purposes. The resulting gain in simplicity of tariff construction will, we believe, be considerable. One of the chief defects in the present rate structure is a complexity which often makes

it impossible for any but the most expert to ascertain the rates legally applicable, and even such experts make frequent mistakes. It is now anticipated that the new southwestern rates will become effective early in 1928.

In a similar proceeding, No. 15879, *Eastern Class Rate Investigation*, embracing all the interstate class rates within official territory, the proposed report is soon to be served. These class rates move a vast volume of traffic and are more extensively used for carload shipments than the class rates of any other section. Their proper adjustment is, therefore, a matter of great commercial importance.

COMPILATION AND ANNOTATION OF STATUTES

By S. R. 334, adopted by the Senate January 25 (calendar date, January 28), 1927, the Senate requested us—

* * * to prepare a manuscript, in a form suitable to be printed as a Senate document, covering the text of the various Acts administered by the Interstate Commerce Commission and related provisions of law, annotated with digests, following each section, of all pertinent decisions of the courts and the commission and other administrative agencies and with regulations of the commission, together with an index, and to transmit such manuscript to the Secretary of the Senate on or before October 1, 1927. Such manuscript, when received, is authorized to be printed as a Senate document.

It was obviously not possible to comply with the resolution within the time limited, and we promptly called the attention of the Senate Committee on Interstate Commerce to the situation. As a result of informal discussions we determined to proceed as rapidly as possible under the resolution, without regard to the strict time limit.

The resolution calls for a great amount of work. We doubt whether the result would warrant the labor and expense involved as to certain of the matters contemplated. Thus, the resolution calls for digest of "all pertinent decisions of the courts and the commission and other administrative agencies." Decisions of the State courts construing the Federal statutes and decisions of administrative agencies other than this commission are of doubtful assistance, and might well be omitted. They are relatively the least important, but the most difficult to compile.

As it is not feasible to forecast the exact time of compliance with the request, the resolution might well be amended to provide that we shall comply with the request as soon as possible, rather than by any certain time limited.

The following progress has been made:

The statutes to be annotated have been selected; and the raw material has been collected, complete to date, from the decisions of the Supreme Court of the United States and the lower Federal

courts and this commission, but not from decisions of the State courts or other administrative agencies. The examination, verification, selection, and classification of the raw material by reference to appropriate statute sections, paragraphs, and subparagraphs, has been half completed. There remains to be done the compilation and condensation of this selected and classified material, the preparation of the annotation therefrom, editing and verification of copy, and the preparation of index.

Some idea of the volumetric mass of the undertaking can be secured from the number of points of material which have been assembled. To date these exceed 120,000, and before the completion of the manuscript several thousand more will be added.

CONSOLIDATION

Pending needed legislation the situation as to consolidation of carrier property under paragraphs (4) to (6), inclusive, of section 5, as summarized in our last report, remains unchanged. Meantime the process of unification through acquisition of control by carriers of other carriers under paragraph (2) of section 5 has been continuing as appears elsewhere in this report.

COOPERATION OF FEDERAL AND STATE COMMISSIONS

Since our last report State commissions have cooperated with us in 28 proceedings in which interstate-intrastate rate relations were in some manner involved, consisting of complaints filed with us in respect of rates in effect, and investigation and suspension proceedings arising out of orders issued by us and State commissions suspending the effective dates of rates proposed by carriers, and, additionally, in the various inquiries conducted under No. 17000, *Rate Structure Investigation*. They have also cooperated in 18 construction and abandonment cases and 6 car-service cases. While the number of these proceedings is less than that reported in our last report, they have resulted in cooperative handling with most of the State commissions, all but nine of which have, at one time or another and as occasion arose, taken part in cooperative proceedings since statutory provision was made therefor in 1920.

FORMAL DOCKET

The formal complaints filed numbered 1,561, of which 1,318 were original complaints and 243 subnumbers, an increase of 37 as compared with the previous period. We decided 1,088 cases and 358 have been dismissed by stipulation or on complainants' request,

making a total of 1,446 cases disposed of, as compared with 1,327 during the previous period.

We conducted 1,600 hearings and took approximately 291,299 pages of testimony, as compared with 1,584 hearings and 302,875 pages of testimony during the preceding period.

The following statement shows certain facts with respect to the condition of this docket as of October 31 of the years indicated:

	1924	1925	1926	1927
Formal complaints filed.....	1,076	1,210	1,314	1,318
Subnumbers.....	267	295	210	243
Investigation and suspension cases instituted.....	316	275	268	213
Cases under submission at end of period:				
Regular docket.....	466	359	462	633
Shortened procedure.....	30	56	136	291
Cases disposed of including subnumbers.....	1,464	1,340	1,499	1,657

SHORTENED PROCEDURE

In our report for 1923 we described the shortened procedure. Some modifications subsequently made in the rules are now incorporated in our rules of practice.

Briefly, the shortened procedure, upon consent of all parties to cases involving simple issues, permits presentation of the evidence and argument by sworn memoranda and dispenses with oral hearing.

During the year the use of the shortened procedure was suggested by one or more of the parties in approximately 50 per cent of the cases placed on the shortened procedure docket. Approximately 35 per cent of the total number of formal complaints are now handled by that method.

The results, since the inception of this procedure, are shown below:

	Number of cases
Suggested for handling under the shortened procedure, either by us or by the parties.....	2,968
In which method not accepted by one or more of the parties.....	796
In which agreement was subsequently reached by the parties making further formal proceedings unnecessary—	
Before service of complainant's memorandum.....	142
After service of complainant's memorandum.....	108
Pending on suspense calendar.....	6
In which complaints withdrawn.....	190
Dismissed for want of prosecution.....	14
In various stages short of submission.....	427
Under submission at end of period.....	320
Decided.....	965

In cases handled under the shortened procedure and thus far decided the average elapsed time to reach a decision has been 472 days from date of receipt of complaint and 266 days from date of receipt of the final memorandum.

HOCH-SMITH RESOLUTION

In three important cases during the past year we have had occasion to construe the Hoch-Smith resolution (43 Stat. L. 801) discussed at page 36 of our last report. In *Grain and Grain Products*, 122 I. C. C. 235, 264, we said:

As aforesaid, the intent of the resolution is that products of agriculture affected by depression shall move at the "lowest possible lawful rates compatible with the maintenance of adequate transportation service." It sets no new standard of lawfulness, but provides, in effect, that to the extent that there are flexible limits to our discretion, we shall require the maintenance of the lowest rates falling within those flexible limits. Rates that may lawfully be required must in principle be high enough to cover all of the cost that may fairly be allocated to the service plus at least some margin of profit. *Northern Pacific Ry. v. North Dakota*, 236 U. S. 585; *Norfolk & Western Ry. v. West Virginia*, 236 U. S. 605. But it has always been recognized that the burden of transportation may reasonably be adjusted with some regard to the value of the service, in other words, that the higher grade, more valuable commodities may be required to pay a greater margin of profit than those that are of lower grade and less valuable. The substance of the provision of the resolution quoted above is that agricultural products affected by depression shall in this respect be included in the class of most favored commodities, to such extent, at least, as may be "compatible with the maintenance of adequate transportation service."

In *American Live Stock Asso. v. A., T. & S. F. Ry. Co.*, 122 I. C. C. 609, 617, we further said:

In the past we have had occasion to consider at times what may be called "out-of-pocket" cost, but while it has been contended that the carriers might voluntarily, in certain situations, establish rates covering only such cost, it has never been seriously contended that we could lawfully require this to be done. Rates that we may lawfully require must in principle be high enough to cover all the cost that may be fairly allocated to the service plus at least some margin of profit. * * * We say "in principle" because only rarely is definite information available as to such cost, and in practice rates must often be fixed largely by comparison with other rates. Of course, the other sections of the interstate commerce act must also be borne in mind in determining the lowest lawful rates in a particular situation.

In *Calif. Growers' & Shippers' Protective League v. S. P. Co.*, 129 I. C. C. 25, 32, we said:

The resolution is in effect a direction to us to give agricultural commodities affected by depression the lowest rates that it is possible to give without running counter to the provisions of the interstate commerce act and the carriers' rights under the Constitution. Section 1 of the act requires that all rates shall be just and reasonable. What is a reasonable rate? It may be said to be somewhere between the minimum charge that can be made for the service and permit the carrier to live, and the maximum charge that can be borne by the shipper. * * *

Both the Commission and the courts have repeatedly referred to a flexible limit of judgment in reaching a conclusion as to the reasonableness of a rate or a schedule of rates. Otherwise stated, there is a zone of reasonableness

within which any rate is just and reasonable to the carrier as well as just, fair, and reasonable to the shipper that utilizes the carrier's services.

We again conclude that "the lowest possible lawful rates" which we may prescribe under the resolution on any given agricultural traffic as to which depression has been shown must be somewhere within the zone of reasonableness permitted by the flexible limits of discretion reposed in us, and that such rates must be put as near the lowest limit or level of that zone as is compatible with the maintenance of adequate transportation service.

Under docket No. 17000, *Rate Structure Investigation*, instituted upon our own motion to carry out the mandate of the Hoch-Smith resolution, there are now in progress, or about to be begun, eleven separate inquiries covering class rates or important commodities or commodity groups. These parts, and their present status, are as follows:

Part 2, western trunk-line class rates.—This is an investigation upon our own motion into the class rates within western trunk-line territory and between points in that territory and points in official and southern territories and the State of Illinois, as well as the class rates between certain points in eastern Wyoming and points on and east of the Missouri River. It was instituted following the filing of a petition by the carriers for increased revenues and for rate readjustments, and of complaints by shippers and shipper organizations assailing present rates. Contemporaneously and subsequently 22 formal complaints, to the extent that they fall entirely or partly within the scope of that general investigation, were assigned for hearings therewith. Extended hearings have been held at Omaha, Kansas City, Fargo, Sioux Falls, Lincoln, Denver, and St. Paul in cooperation with a committee of commissioners of the railroad or public utilities commissions of the eleven States included in western trunk-line territory with whom the carriers have filed petitions similar to that filed with us, except that they relate to intrastate rates. The Nebraska and South Dakota commissions are conducting their respective State investigations as joint proceedings with us. A further hearing will be necessary to receive additional evidence and will be set immediately after the carriers have completed a comprehensive traffic-test and terminal-cost study which they have been directed to make for the purposes of this proceeding.

Part 3, cotton.—This part, and a number of formal complaints which are to be considered with it, pertain to the transportation of cotton from substantially all cotton-producing areas in the country to all destinations to which cotton moves, including the ports. Hearings are at present in progress, two having been held in the Southeast, others being now assigned in the Southwest, and still others are contemplated, definite assignment of which has not yet been made.

Part 4, petroleum and petroleum products.—On June 6, 1926, we entered, under Docket No. 18458, an order instituting a general

investigation into the interstate rates on petroleum and petroleum products within the territory on and east of the Mississippi River and the Indiana-Illinois State line and from points without to points within that territory. The issues embraced in that proceeding are also embraced in No. 17000. Accordingly, the latter, in so far as it relates to interstate rail rates on petroleum and petroleum products coming within the scope of the investigation in No. 18458, was heard jointly with No. 18458. Hearings were held at St. Louis, Tulsa, New Orleans, Atlanta, Washington, Pittsburgh, New York, Boston, and French Lick, Ind. Briefs are due November 15, 1927.

Part 5, furniture.—By order entered May 10, 1927, in No. 18323, *Investigation of Rates on Furniture*, to which all common carriers by rail and by rail and water subject to the interstate commerce act are made parties respondent, we instituted an investigation into the classifications, class and commodity rates, carload minimum weights, packing and loading requirements, and all other elements or factors necessary to a determination of the lawful levels and relationships of the ratings, rates, and charges applicable to the interstate transportation of furniture, in carloads and less than carloads, between all points in the United States. No. 17000, *Rate Structure Investigation, Part 5, Furniture*, embracing the same issues, is assigned for hearing and disposition therewith, as are several complaints of more or less general scope. It is understood that the parties will be ready for hearings soon after the first of the new year.

Part 6, iron and steel investigation.—Inquiry was instituted on November 8, 1926, and the hearings were concluded on June 18, 1927. It covers the carload rates on all the manufactured iron and steel articles, some 225 in number, generally included in the manufactured iron and steel lists, and embraces, generally speaking, the territory east of the Mississippi River and north of the Ohio River, known as official territory. Set for hearing with the investigation are two investigation and suspension proceedings and 17 complaint cases. The level of the rates and the carload minimum weights, as well as the relationship of the rates between the various producing and consuming territories, are in issue. Each of the 17 state commissions within official territory was invited to participate in the proceedings. Representatives from the States of New York, Pennsylvania, Ohio, Illinois, and Michigan sat in some of the hearings, and the State of Virginia entered its appearance. Extended hearings were held in Pittsburgh, Columbus, Detroit, Chicago, and Atlantic City. The record is quite voluminous and the interested parties have filed briefs which were due on November 1.

Part 7, grain and grain products.—As a part of the general rate structure investigation under docket No. 17000, discussed in our last report at page 36, we instituted an inquiry into the transportation

of grain and grain products. It covers the territory on and west of the Mississippi River and Illinois, transportation from this territory to all ports of the United States and the Rio Grande River gateways in respect of shipments for export, and from Lake Erie ports to eastern destinations on ex-lake shipments. Points situated on the east bank of the Mississippi River used as gateways and basing points for rates beyond into the East and Southeast are also included.

The inquiry includes the following: (1) The present economic condition of agriculture in the territory described; (2) the reasonableness of the rates on grain and grain products; (3) should the rates on all grains be the same? (4) should the rates on all grain products be the same? (5) should the rates on grain products be the same as the rates on grain? (6) are the rates on grain and grain products properly related to the rates on other commodities? (7) shall the present method of making rates on grain and grain products, including the basing-point system of breaking rates over primary markets, be continued? (8) are the present milling-in-transit regulations and practices affecting the shipment of grain and grain products reasonable and free from unjust discrimination? (9) collateral questions representing a variety of issues. We have also set for hearing in connection with this inquiry 21 formal complaints. While these complaints also bring into issue many of the matters enumerated in (1) to (9), they concern more particularly the reasonableness of the rates *per se* and in their relation as between competing origin and consuming territories as well as marketing centers.

Hearings have been held in Dallas, Wichita, and Minneapolis. These hearings, extending through nearly 16 weeks, have accumulated a record of approximately 15,000 pages, not including 1,000 exhibits. Additional hearings will be held in Chicago and on the Pacific coast. The Chicago hearing will be devoted chiefly to the export business.

Part 7-A, grain and grain products, southern territory rates.—Following various requests this inquiry was instituted upon our own motion into the rates on grain and grain products within southern territory and from the western district and central territory to destinations in southern territory. The level of the rates to points in the Southeast, in comparison with that to points in the Mississippi Valley, has long been the source of contention between competing localities in these respective territories, and between receivers and shippers of grain in southern territory on the one hand and the carriers on the other. A number of complaints were filed with us against parts of this adjustment, in which decisions recently have been rendered, but the issues presented were not such as to enable us fully to investigate the rates in this territory. A number of complaints now pending, and others which may be filed in the

meantime, will be assigned for hearing with this part to the extent that they bring into issue rates within its scope. The rates embraced are related to those within the western district, now under investigation in part 7, and part 7-A will be conducted as a continuation of part 7.

Part 8, cottonseed, its products, and related articles.—This covers a country-wide inquiry into the rates on cottonseed, cotton linters and cottonseed-hull fiber or shavings, but not cotton; cottonseed meal, cake, and hulls and other vegetable meals and cakes used for feed, including copra, peanut, palm, palm-kernel, soya-bean, and flaxseed meal and cake, but not flaxseed or other grain and grain products; cottonseed and other vegetable oils and oil foots, including coconut, peanut, palm, palm-kernel, soya-bean, and linseed oils and foots, also corn oil, olive-oil foots, and fish, whale, and sea-animal oils and foots, but not cooking oils or lard substitutes; and inedible greases, tallow, and soap stock. Hearings began at New York, on May 23, 1927, and subsequent hearings were held at Minneapolis, St. Louis, Los Angeles, Fort Worth, New Orleans, Atlanta, Memphis, and again at Fort Worth. It is expected that the shippers will conclude the presentation of their evidence at hearings which have been scheduled for New York, Fort Worth, and San Antonio after which the carriers will be heard.

Part 9, livestock.—This covers rates on edible livestock throughout the West and South. Rates on livestock in the various parts of the West have many different bases, and its transportation is governed by diverse regulations of the carriers. The scope of this inquiry includes not only the question of reductions, if any, which should be effected in the rates, but also the extent to which uniformity in rates and regulations may be brought about. Hearings have been held in the Rocky Mountain territory, on the Pacific coast, and in the Southwest. It is anticipated that hearings in western trunk-line territory will be concluded early in 1928. In the South a uniform scale of rates already applies, and the inquiry there relates particularly to the question of what should be the proper level of the rates. This portion of the inquiry embraces also the rates on horses and mules. Hearings therein have been concluded. Complaint cases now pending before us, not a part of No. 17000, which have been heard and in which a proposed report has been formulated, present the question of the lawfulness of most livestock rates in official territory. We therefore have now under review practically the entire edible-livestock rate structure of the United States.

Part 10, hay.—This relates to the rates on hay in the western group as defined in *Increased Rates, 1920*, 58 I. C. C. 220, 225. No hearings in this part of the investigation have been had because of

conflict with hearings in other parts of the same investigation. It is expected that hearings in part 10 will be commenced in 1928.

Part 11, sand and gravel.—This has been assigned for hearing in December, 1927, in so far as it relates to the interstate and intrastate rates on sand, gravel, crushed stone, and shells between points in Arkansas, Oklahoma, Texas, and Louisiana west of the Mississippi River and also including both banks of the Mississippi River bordering on Louisiana and Arkansas.

Several complaints are also assigned for hearing and disposition therewith.

No. 17000, rate structure investigation.—This will be extended to embrace other important commodities as rapidly as is possible with the appropriations and forces at our command. The inquiries already in progress, together with the handling of current formal complaints, are taxing our present forces to capacity. The reclassification act undoubtedly has operated to induce constant depletions of our personnel, and, although increases in the staff have been made, considerable time is required for training because of the technical character of the work.

INVESTIGATIONS

Reports have been made and published in the following investigations, instituted on our own motion:

Construction and repair of railway equipment. 126 I. C. C. 323.

Interstate class rates in southern territory; between that territory and the Mississippi River crossings, Ohio River crossings, and points beyond in Illinois, Buffalo-Pittsburgh, and central territories; and between southern territory and Virginia cities and eastern points beyond in trunk-line and New England territories. 128 I. C. C. 567.

In the matter of rates, charges, classifications, regulations, and practices governing the transportation of anthracite coal. 122 I. C. C. 527.

Fertilizers and fertilizer materials between southern points. 123 I. C. C. 193; 129 I. C. C. 215.

Revenues in western district and rate structure investigation (Hoch-Smith resolution). 122 I. C. C. 609. For a more detailed statement of these investigations see chapter entitled "Hoch-Smith resolution."

Lawfulness and propriety of rates, regulations, and practices in connection with the application of interstate domestic rates and export rates on cotton from points in the States of Oklahoma, Arkansas, Texas, and Louisiana on and west of the west bank of the Mississippi River, to Gulf ports. 123 I. C. C. 685.

In the matter of rates on wool and mohair from Pacific coast and intermediate territory to various points. 120 I. C. C. 493.

Concerning the classes of depreciable property of telephone companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act. 118 I. C. C. 295.

Concerning the classes of depreciable property of steam railroad companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act. 118 I. C. C. 295.

In re transportation and car service on the line of the Kansas, Oklahoma & Gulf Railway Co. running out of Bromide, Okla. 118 I. C. C. 412.

Divisions and rates of Wyoming & Missouri River Railway Co. 131 I. C. C. 145.

Other investigations are pending, some of the more important of which are:

In the matter of application of Northern Pacific Railway Co. and Minneapolis, St. Paul & Sault Ste. Marie Railway Co., for authority to establish joint passenger-train service between Minneapolis, St. Paul, and Duluth, Minn., and Superior, Wis., and to divide earnings therefrom.

Charges of common carriers subject to the interstate commerce act for wharfage, handling, storage, and other accessorial services at south Atlantic and Gulf ports.

Propriety of the rates on sugar, in carloads, from New Orleans and other producing points in Louisiana, Savannah, Ga., Boston, Mass., New York, N. Y., Philadelphia, Pa., Baltimore, Md., and other producing and distributing points on the Atlantic seaboard.

Consolidation of the railway properties in the United States into a limited number of systems.

In the matter of efficient, economical, and joint use of terminals of common carriers in the port of New York district and the cost to carriers of operating the terminals in performing common-carrier services.

Switching facilities, practices, regulations, rates, and charges at Seattle, Wash.

In the matter of divisions of freight rates in western and mountain-Pacific territories.

Concerning the classes of depreciable property of carriers by water and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Interstate class rates within official classification territory.

In the matter of divisions of freight rates in the Eastern Group excluding New England.

History, management, financial, and other operations, accounts, and practices of the Chicago, Milwaukee & St. Paul Railway Co.

In the matter of the use of private passenger-train cars.

Rules for car-hire settlement.

In re refrigeration charges on fruits, vegetables, berries, and melons from the South.

Rates on bituminous coal from points in Illinois to East St. Louis, Ill., switching district.

Transportation of strawberries in carload lots from Florida, Georgia, Alabama, North Carolina, South Carolina, and Virginia to points in official classification territory.

Motor-bus and motor-truck operation.

Rates on furniture.

Rates on petroleum and petroleum products within the territory on and east of the Mississippi River, south of the Ohio River, and east of the Indiana-Illinois State line, and from points without to points within said territory.

Concerning the classes of depreciable property of electric railway companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Concerning the classes of depreciable property of carriers by pipe line and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Concerning the classes of depreciable property of sleeping-car companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Concerning the classes of depreciable property of express companies and the related percentages of depreciation which, under section 20 of the interstate commerce act, we are required to prescribe for carriers subject to the act.

Transfer of freight within St. Louis and East St. Louis by dray and truck for and on behalf of railroads.

Switching rates in the Chicago switching district.

Constructive and off-track railroad freight stations on Manhattan Island, N. Y.

INTRASTATE RATE CASES

Reports have been made and published in the following proceedings instituted by us under section 13 of the act:

In the matter of—

Rates on classes and commodities between points within the State of Texas. 122 I. C. C. 373.

Rates on chert, clay, sand, and gravel within the State of Georgia.
122 I. C. C. 133.

Rates and minimum weights on salt within the State of Ohio.
128 I. C. C. 499.

No reports have been made during the year in the following investigations under that section:

In the matter of—

Intrastate rates within the State of Illinois.

Rates for berths, drawing rooms, compartments, and seats in sleeping and parlor cars of the Pullman Co. in the State of Louisiana.

Intrastate class rates in the State of Mississippi.

Intrastate rates on bituminous coal within the State of Indiana.

Rates on powder and high explosives, in carloads, within the State of Arizona.

Intrastate class rates within the State of South Dakota.

Concerning the adequacy of transportation service in the State of New Mexico.

Rates on pig iron and articles taking the same rates within the State of Ohio.

Rates on iron and steel articles, in carloads, within the State of Ohio.

Rates on common brick between points within the State of North Carolina.

Rates on common brick between points within the State of Georgia.

Rates on common brick between points within the State of Alabama.

In the matter of intrastate fares of the Chicago, North Shore & Milwaukee Railroad Co. within the States of Illinois and Wisconsin.

MOTOR-BUS AND MOTOR-TRUCK OPERATION, DOCKET NO. 18300

In our last report we referred to the investigation on our own motion into and concerning the general question of the operation of motor busses and motor trucks by, or in connection or competition with, common carriers subject to the interstate commerce act.

During the past year laws were enacted in four States providing for the regulation of motor vehicles, so that there is now some form of regulation or control over common-carrier motor vehicles in 42 States and the District of Columbia. The rapidly increasing use of motor busses and motor trucks makes the absence of any regulatory control over those engaged in interstate commerce a problem of constantly increasing importance.

Statistical summaries of the answers of the respondent railways to questionnaires have been tabulated and made available to the public.

We deem it advisable that a proposed report be prepared by an examiner and served upon the parties to the proceeding, thus affording opportunity for the filing of exceptions thereto, to be followed

by oral argument before us and report thereon to the Congress with our recommendations as speedily as may be consistent with the nature and importance of the subject.

O'FALLON RECAPTURE CASE

Pursuant to the provisions of paragraphs (4), (5), and (6) of section 15a of the act, on February 15, 1927, we determined the amount of net railway operating income in excess of 6 per cent of the value of the respective properties of the St. Louis & O'Fallon Railway Co. and the Manufacturers' Railway Co., for the 10 months ended December 31, 1920, and for the years 1921, 1922, and 1923. (See 124 I. C. C. 3.) In our report we found that the two carriers did not constitute a single system, because they were separately operated, and therefore we ascertained the income for each carrier separately. We found that the Manufacturers' had not earned net railway operating income in excess of 6 per cent for any of the periods considered, and that the O'Fallon earned such income in excess of 6 per cent of the value of its property devoted to transportation service amounting to \$106,755.96 for the 10 months in 1920, \$130,205.13 for 1921, \$106,391.03 for 1922 and 110,409.22 for 1923. Our order required the O'Fallon to pay to us one-half of these amounts, and to retain the remaining one-half in a reserve fund, as required by paragraph (6) of section 15a.

Prior to the expiration of the time for payment fixed in the order the carriers brought a suit in the United States District Court for the Eastern Division of the Eastern District of Missouri, to enjoin and annul the order, contending that, upon a number of grounds, it was unauthorized and void. The case was heard before three judges of the Federal court at Kansas City on October 5, 6, and 7, 1927. By supplemental orders the effective date of the original order has been extended to December 10, 1927.

The principal ground of attack upon our decision is that the value of the property for purposes of recapture as determined by us is too low. Urging that cost of replacement at current costs of labor and materials should be the controlling element in ascertaining the value of the carriers' property, its counsel asserted that for each of the recapture periods the value was at least \$1,350,000. The values reported by us for the several periods were—

10 months of 1920-----	\$865,065
10 months of 1921-----	875,360
10 months of 1922-----	978,874
10 months of 1923-----	978,246

In arriving at these amounts, we concluded that the value of all property, except land and working capital, on June 30, 1919, was

\$750,000. The results of our investigation under section 19a, the valuation act, supplemented by a consideration of the actual net cost of all property added between June 30, 1914, and June 30, 1919, indicated, in the opinion of the majority, the propriety of that figure. To this amount as a base was added the actual net cost of property installed between June 30, 1919, and each of the recapture periods, and amounts representing the present value of lands and working capital for each period. If approved by the courts, it is thought by the majority that the method of valuation adopted in this case will be practicable and workable in the administration of the recapture provisions and will produce results just and fair to carriers and the public.

RAILROAD EARNINGS

The upward tendency observed in railroad net earnings after 1920 continued through the calendar year 1926. For that year the operating revenues for Class I steam railways amounted to \$6,382,939,546 and the net railway operating income was \$1,213,089,966. These sums are greater than the corresponding sums for any preceding year. For the first five months of 1927 the reports indicated substantially the same level of earnings as in 1926, but beginning with June there has been a falling off in both the gross and net revenues. For the first five months of 1927 the operating revenues of Class I railways were slightly greater than those of the same period in 1926, but in the months of June, July, and August, 1927, combined, the operating revenues were 5.70 per cent below those of the same period in 1926. In this three-months' period in 1927 the net railway operating income was 18.85 per cent below the corresponding figure for 1926 and 8.46 per cent below that for 1925.

The falling off in passenger revenue continues. In the first eight months of 1927 the passenger revenue was nearly \$40,000,000 less than in the same period in 1926, and for the calendar year 1926 it had been over \$100,000,000 less than in 1923. The freight revenue of 1926, on the other hand, was \$191,000,000 greater than that of 1923.

In 1926 the operating expenses of Class I steam railways were 73.15 per cent of the revenues. This is the lowest—that is, the most favorable—ratio since 1917. Prior to 1908 the operating ratio was in every year below 69 per cent. From 1908 to 1917 it varied from 65.58 to 72.91 per cent. Thus the most favorable postwar ratio of 1926 is slightly higher than the most unfavorable pre-war ratio. The composition of operating expenses has remained remarkably stable in recent years, although over a long period the influence of

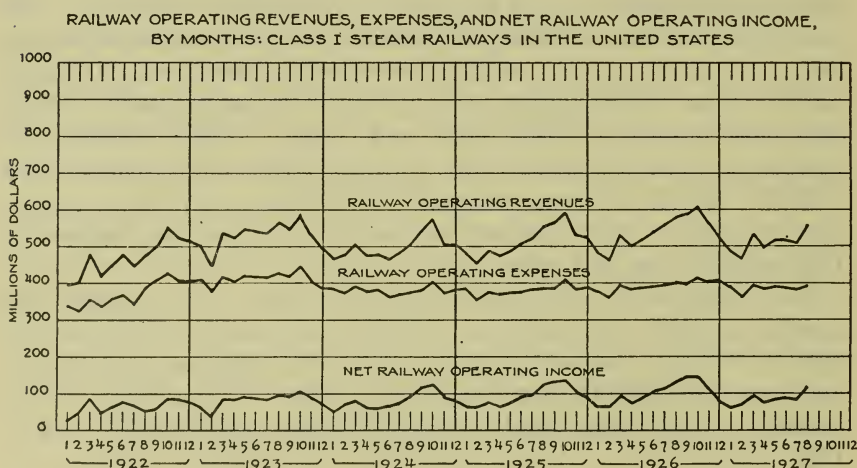
heavier trains is seen in the relatively faster growth of equipment maintenance compared with transportation expenses:

Per cent of total operating expenses, Class I steam railways

Account	1915	1925	1926	First 8 months—	
				1926	1927
Maintenance of way and structures.....	18.2	18.0	18.6	18.6	19.0
Maintenance of equipment.....	24.8	27.7	27.4	27.6	26.7
Traffic.....	2.9	2.3	2.4	2.4	2.6
Transportation.....	49.6	47.2	46.9	46.5	46.7
General.....	3.7	3.9	3.9	4.0	4.1
All other.....	.8	.9	.8	.9	.9

Taxes, which are not included in operating expenses, were reported for the first eight months of 1927 as slightly less than for the same period in 1926, but the taxes of the calendar year 1926 for Class I railways, \$391,114,381, were greater than for any preceding year. In that year they were about 2.5 times as great as in 1916.

The accompanying chart shows the monthly fluctuations in revenues, expenses, and net railway operating income (after taxes) from January, 1922, to August, 1927, inclusive.



In 1926 the steam railways had a net income after fixed charges of \$883,625,820, substantially larger in dollars than that of any preceding year. This sum was 9.44 per cent of the capital stock actually outstanding at the close of that year. In 1926, 69.12 per cent of the stock of the steam railways was in the dividend-paying class. This figure is higher than for any preceding year. The amount of dividends declared, including intercorporate dividends, was \$473,603,482, which sum was 5.06 per cent of all stock actually outstanding. The average rate declared on dividend-yielding stock was 7.32 per cent.

Other data regarding the results of railway operation will be found in Appendix C, and also in the chapters relating to the "Bureau of service" and the "Bureau of statistics."

RAILWAY-MAIL PAY

In *Railway Mail Pay*, 120 I. C. C. 439, we found, upon reexamination, the rates of mail pay received by 12 short lines in intermountain and Pacific coast territory unreasonable and established higher rates therefor equal to those established by us for 23 other short lines in that territory in *Railway Mail Pay*, 95 I. C. C. 493. Upon petition of the Postmaster General the proceeding was reopened for further hearing and will be heard in connection with the reexamination in respect of 12 other short lines in this territory ordered upon application of the Postmaster General in accordance with the mail pay act. In *Railway Mail Pay*, 123 I. C. C. 33, upon reexamination, increased rates of pay were granted the Winston-Salem Southbound Railway.

Hearings in the general reexamination of rates paid to common carriers engaged in transporting mail, other than urban and inter-urban electric railways, have been completed. This proceeding will be submitted for decision after oral argument has been had. The reexamination includes, with the exceptions above noted, all Class I and other common carriers by railroad subject to the mail pay act of July 28, 1916.

BOARDS OF REFEREES

These boards, created to hear and determine cases brought under the provisions of section 3 of the Federal control act, have been constituted from our staff of employees.

Twenty-eight cases are pending awaiting disposition of proceedings in certain test cases in the courts and the convenience of the parties.

No reports were made to the President, and no boards were appointed during the year.

RECOMMENDATIONS

For the reasons stated in this report and in former reports we recommend:

1. That section 1 of the interstate commerce act be amended to provide for the punishment of any person offering or giving to an employee of a carrier subject to the act any money or thing of value with intent to influence his action or decision with respect to car service, and to provide also for the punishment of the guilty employee.

2. That subject to appropriate exceptions the use of steel or steel underframe cars in passenger-train service be required, and

the use in passenger trains of wooden cars between or in front of steel or steel underframe cars be prohibited.

3. That paragraphs (2) to (6), inclusive, of section 5 of the interstate commerce act be amended (a) by omitting therefrom the existing requirement that we adopt and publish a complete plan of consolidation; (b) by making unlawful any consolidation or acquisition of the control of one carrier by another in any manner whatsoever, except with our specific approval and authorization; (c) by giving us broad powers upon application and after hearing to approve or disapprove such consolidations, acquisitions of control, mergers, or unifications in any appropriate manner; (d) by giving us specific authority to disapprove a consolidation or acquisition upon the ground that it does not include a carrier or all or any part of its property which ought to be included in the public interest and which it is possible to include upon reasonable terms; (e) by modifying subparagraph (b) of paragraph (6) so that the value of the properties proposed to be consolidated can be more expeditiously determined; and (f) by providing that in the hearing and determination of applications under section 5 the results of our investigation in the proceeding on our docket known as No. 12964, *Consolidation of Railroads*, may be utilized in so far as deemed by us advisable.

4. That paragraphs (5) and (6) of section 15a of the interstate commerce act be clarified by amendment.

5. That paragraph (f) of section 19a of the interstate commerce act be clarified by amendment.

6. That section 19 of the merchant marine act, 1920, be amended so that its provisions will clearly not be applicable to the Interstate Commerce Commission, that section 27 of this act be reconsidered by the Congress in the light of this report, and that section 28 of this act be reconsidered by the Congress in the light of the circumstances set forth in the chapter on the effect of this statute appearing at pages 13 and 14 of our thirty-fifth annual report to the Congress. In this connection reference is made to our report dated June 29, 1922, to the chairman of the Committee on Interstate and Foreign Commerce on H. R. 12021, Sixty-seventh Congress, second session.

7. That section 26 of the interstate commerce act be amended by making it the duty of every common carrier designated in that section to furnish all reasonable facilities to the engineers or other employees of the commission for inspection, at any stage, of installations of the safety devices provided for by that section, and for that purpose to furnish such employees, when properly identified, with transportation upon the locomotives or freight trains of the carrier at such reasonable compensation as may be fixed from time to time by the commission.

STATEMENT OF APPROPRIATIONS AND EXPENDITURES FOR THE FISCAL YEAR ENDED JUNE 30, 1927

An act making appropriations for the executive, etc.,
approved Apr. 22, 1926:

For salaries of commissioners..... \$132,000.00

For salary of secretary..... 7,500.00

\$139,500.00

For all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at \$10,000 each per annum:

General 2,318,660.00

To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the act to regulate commerce as amended by the act approved June 29, 1906, and as amended by the transportation act, 1920, including the employment of necessary special accounting agents or examiners, together with any unexpended balance of the appropriation for this purpose for the fiscal year 1926:

Accounts \$1,035,269.00

Pursuant to the authority shown above there was transferred from the fiscal year 1926 appropriations

264,900.00

1,300,169.00

To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with acts to promote the safety of employees and travelers upon railroads; the act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906, and the provision of the sundry civil act approved May 27, 1908, to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including the employment of a chief inspector at \$6,000 per annum and two assistant chief inspectors at \$5,000 each per annum, and such other inspectors as may be necessary:

Safety 475,000.00

For all authorized expenditures under section 26 of the act to regulate commerce as amended by the transportation act, 1920, with respect to the provision thereof under which carriers by railroad subject to the act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the commission; including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and including the employment of the necessary engineers:

Signals and train-control devices..... 138,320.00

For all authorized expenditures under the provisions of the act approved Feb. 17, 1911, "To promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," as amended by the act of Mar. 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotive and tender," and amendment of June 7, 1924, providing for the appointment from time to time by the Interstate Commerce Commission of not more than 15 inspectors in addition to the number authorized in the first paragraph of section 4 of the act of 1911, including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require:

Locomotive inspection-----		\$458, 448. 00
Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved Feb. 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved Mar. 1, 1913, including one director of valuation, one supervisor of land appraisals, one supervising engineer, and one supervisor of accounts, at \$9,000 each per annum, and one principal valuation examiner at \$7,500 per annum, together with any unexpended balance of the appropriation for this purpose for the fiscal year 1926:		
Valuation-----	\$1, 427, 960. 00	
Pursuant to the authority shown above there was transferred from the fiscal year 1926 appropriation-----	287, 180. 97	1, 715, 140. 97
For all printing and binding for the Interstate Commerce Commission, including not to exceed \$10,000 to print and furnish to the States at cost report-form blanks, the receipts therefrom be credited to this appropriation:		
Printing and binding-----	160, 000. 00	
An act making appropriations for the executive, etc., approved Feb. 11, 1927, making "immediately available"-----	15, 000. 00	175, 000. 00
Total-----		<u>6, 720, 237. 97</u>
Amount expended under appropriations for the fiscal year ended June 30, 1927:		
As salaries for commissioners and secretary----	\$137, 766. 67	
General-----	2, 266, 199. 95	
Accounts-----	1, 300, 026. 44	

Amount expended under appropriations, etc.—Continued.

Safety.....	\$469, 185. 32
Signals and train-control devices.....	108, 716. 64
Locomotive inspection.....	445, 457. 68
Valuation.....	1, 712, 051. 74
Printing and binding.....	174, 999. 46

Total.....\$6, 614, 403. 90

Unexpended balances of appropriations:

As salaries to commissioners and secretary.....	\$1, 733. 33
General.....	52, 460. 05
Accounts.....	142. 56
Safety.....	5, 814. 68
Signals and train-control devices.....	29, 603. 36
Locomotive inspection.....	12, 990. 32
Valuation.....	3, 089. 23
Printing and binding.....	. 54

105, 834. 07

Total.....6, 720, 237. 97

JOHN J. ESCH, *Chairman*.

BALTHASAR H. MEYER.

HENRY C. HALL.

CLYDE B. AITCHISON.

JOSEPH B. EASTMAN.

JOHNSTON B. CAMPBELL.

ERNEST I. LEWIS.

FRANK McMANAMY.

THOMAS F. WOODLOCK.

RICHARD V. TAYLOR.

EZRA BRAINERD, JR.

APPENDIX A

INDICTMENTS RETURNED, AND INFORMATIONS, COMPLAINTS, AND PETITIONS FILED, AND CASES CONCLUDED

Summary of indictments returned and informations, complaints, and petitions filed between November 1, 1926, and October 31, 1927, inclusive, for violations of the interstate commerce, Elkins, transportation of explosives, and bills of lading acts.

Summary of cases arising from violations of the above acts concluded between November 1, 1926, and October 31, 1927, inclusive, and sentences imposed.

**SUMMARY OF INDICTMENTS RETURNED AND INFORMATIONS,
COMPLAINTS, AND PETITIONS FILED BETWEEN NOVEMBER 1,
1926, AND OCTOBER 31, 1927, INCLUSIVE**

United States *v.* Alton Iron & Metal Company, District Court, Northern Illinois, February 23, 1927, indictment charging false billing; 25 counts.

United States *v.* Atlantic Coast Line Railroad Company, District Court, Western Virginia, March 21, 1927, information charging collecting greater compensation as a through rate than the aggregate of the intermediate rates; 19 counts.

United States *v.* Atlantic Coast Line Railroad Company, Norfolk & Western Railway Company, and Winston-Salem Southbound Railway, District Court, Western Virginia, March 21, 1927, information charging collecting greater compensation as a through rate than the aggregate of the intermediate rates; 1 count.

United States *v.* Atlantic Steel Company, District Court, Northern Georgia, October 5, 1927, indictment charging accepting concessions; 8 counts.

United States *v.* Frank Bloom, District Court, Eastern Louisiana, January 4, 1927, information charging unlawful use of pass; 1 count.

United States *v.* Chicago Great Western Railroad Company, Missouri-Kansas-Texas Railroad Company, and Missouri-Kansas-Texas Railroad Company of Texas, District Court, Northern Iowa, April 27, 1927, indictment charging collecting greater compensation for shorter than for longer distance; 5 counts.

United States *v.* Chicago Smelting & Refining Corporation, District Court, Northern Illinois, February 16, 1927, indictment charging false billing; 5 counts.

United States *v.* Clement Grain Company, District Court, Western Texas, November 16, 1926, indictment charging false billing; 5 counts.

United States *v.* Frank Clinkscales, Archi Clinkscales, and Mattie Crawford, District Court, Kansas, March 17, 1927, indictment charging unlawful use of pass; 1 count.

United States *v.* John Cook, District Court, Northern Ohio, December 22, 1926, indictment charging unlawful use of pass; 1 count.

United States *v.* D. S. Cunningham, District Court, New Mexico, September 6, 1927, indictment charging unlawful use of pass; 1 count.

United States *v.* William W. Early, District Court, Western Texas, November 16, 1926, indictment charging false billing; 5 counts.

United States *v.* Farmstead Mineral Manufacturing Company, District Court, South Dakota, October 21, 1927, indictment charging false billing; 5 counts.

United States *v.* R. Fraser, District Court, Oregon, December 1, 1926, indictment charging violations of the bills of lading act; 2 counts.

United States *v.* Alma Glenshaw, District Court, Utah, September 12, 1927, information charging unlawful use of pass; 1 count.

United States *v.* Paul Hagler, District Court, New Mexico, September 6, 1927, indictment charging unlawful use of pass; 1 count.

United States *v.* Harlem & Morrisania Transportation Line, Inc., District Court, Massachusetts, January 7, 1927, indictment charging accepting and receiving concessions; 20 counts.

United States *v.* Philip Horn, District Court, Northern Ohio, January 14, 1927, indictment charging violation of the bills of lading act; 1 count.

United States *v.* William J. Howell, Ollie Barkerville, and Junius Russell, District Court, Eastern Virginia, November 8, 1926, indictment charging unlawful use of pass; 1 count.

United States *v.* Illinois Central Railroad Company, Southern Railway Company, and The Yazoo & Mississippi Valley Railroad Company, District Court, Eastern Louisiana, April 29, 1927, indictment charging collecting greater compensation for shorter than for longer distance; 5 counts.

United States *v.* A. M. Landmark, District Court, South Dakota, October 21, 1927, indictment charging suffering and permitting false billing; 5 counts.

United States *v.* F. L. Lightheizer, District Court, Eastern Virginia, May 27, 1927, information charging unlawful use of pass; 1 count.

United States *v.* W. R. McGowan and R. A. Murray, District Court, Western Pennsylvania, February 18, 1927, information charging unlawful use of pass; 1 count.

United States *v.* David Mitchell and Rosa Bridgers, District Court, Eastern North Carolina, May 9, 1927, indictment charging unlawful use of pass; 1 count.

United States *v.* Pennsylvania Fire Works Display Company, District Court, Eastern Pennsylvania, November 30, 1926, indictment charging violation of transportation of explosives act; 1 count.

United States *v.* Piedmont & Northern Railway Company, District Court, Western South Carolina, October 4, 1927, indictment charging unlawful extension of credit for freight charges; 10 counts.

United States *v.* Elmer W. Smith, District Court, Western Washington, June 1, 1927, indictment charging violations of the bills of lading act; 18 counts.

United States *v.* Mabel Smith and Harry Thompson, District Court, Northern Illinois, January 11, 1927, information charging unlawful use of pass; 2 counts.

United States *v.* Hugh M. Taylor and Addie Louise Killmon, District Court, Eastern Virginia, November 8, 1926, information charging unlawful use of pass; 1 count.

United States *v.* Leota Redick Taylor and Elbert Allen Taylor, District Court, Nebraska. March 3, 1927, information charging unlawful use of pass; 1 count.

United States *v.* G. M. H. Wagner & Sons, District Court, Northern Illinois, December 17, 1926, indictment charging accepting concessions; 10 counts.

United States *v.* Washington Fruit & Produce Company, District Court, Eastern Washington, October 10, 1927, indictment charging false billing; 10 counts.

United States *v.* Frank Watson, Simon Watson, and John Marshall, District Court, Western Pennsylvania, June 30, 1927, information charging unlawful use of pass; 1 count.

United States *v.* Webster Manufacturing Company, District Court, Western Wisconsin, May 24, 1927, indictment charging false billing; 10 counts.

United States *v.* Lincoln H. Young, District Court, Massachusetts, January 7, 1927, indictment charging false billing; 20 counts.

SUMMARY OF CASES CONCLUDED IN UNITED STATES DISTRICT COURTS BETWEEN NOVEMBER 1, 1926, AND OCTOBER 31, 1927, INCLUSIVE

United States *v.* Alaska Anthracite Railroad Company, District Court, Southern New York, indictment charging issuing bonds unlawfully. November 27, 1926, plea of guilty entered and fine of \$5,000 imposed. Indictment returned October 9, 1925.

United States *v.* Alton Iron & Metal Company, District Court, Northern Illinois, indictment charging false billing. April 26, 1927, plea of guilty entered and fine of \$250 imposed. Indictment returned February 23, 1927.

United States *v.* E. C. Anderson, District Court, Eastern South Carolina, indictment charging falsifying records. December 10, 1926, plea of guilty entered and fine of \$1,000 imposed. Indictment returned October 11, 1926.

United States *v.* Atlantic Coast Line Railroad Company, District Court, Western Virginia, information charging collecting greater compensation as a through rate than the aggregate of the intermediate rates. June 7, 1927, information withdrawn. Information filed March 21, 1927.

United States *v.* Atlantic Coast Line Railroad Company, Norfolk & Western Railway Company, and Winston-Salem Southbound Railway, District Court, Western Virginia, information charging collecting greater compensation as a through rate than the aggregate of the intermediate rates. June 7, 1927, information withdrawn. Information filed March 21, 1927.

United States *v.* Frank Bloom, District Court, Eastern Louisiana, information charging unlawful use of pass. January 24, 1927, plea of guilty entered and fine of \$100 imposed. Information filed January 4, 1927.

United States *v.* Chesapeake & Ohio Railway Company, District Court, Eastern Virginia, complaint charging failure to obey order of the commission. May 6, 1927, complaint dismissed. Complaint filed August 18, 1926.

United States *v.* Chicago, Rock Island & Pacific Railway Company, District Court, Eastern Arkansas, indictment charging collecting greater compensation for shorter than for longer distance. March 24, 1927, plea of guilty entered and fine of \$1,250 imposed. Indictment returned October 19, 1926.

United States *v.* The Cincinnati, Indianapolis & Western Railroad Company, District Court, Indiana, complaint charging failure to obey order of the Commission. April 29, 1927, complaint dismissed. Complaint filed September 9, 1926.

United States *v.* Clement Grain Company, District Court, Western Texas, indictment charging false billing. December 2, 1926, verdict of not guilty rendered. Indictment returned November 16, 1926.

United States *v.* Frank Clinkscales, Archi Clinkscales, and Mattie Crawford, District Court, Kansas, indictment charging unlawful use of pass. September 28, 1927, verdict of guilty entered as to Frank Clinkscales. October 1, 1927, sentence to serve three months in jail imposed. Nolle prosequi entered as to other defendants. Indictment returned March 17, 1927.

United States *v.* John Cook, District Court, Northern Ohio, indictment charging unlawful use of pass. January 10, 1927, plea of guilty entered and fine of \$100 imposed. Indictment returned December 22, 1926.

United States *v.* Charles D. Davis, District Court, Southern New York, indictment charging assenting to the unlawful issuance of bonds. November 27, 1926, plea of guilty entered and fine of \$5,000 imposed. Indictment returned October 9, 1925.

United States *v.* Delaware & Hudson Company and Greenwich & Johnsonville Railway Company, District Court, Northern New York, information charging collecting greater compensation for shorter than for longer distance. March 19, 1927, verdict of guilty rendered and fine of \$700 imposed. Information filed October 1, 1926.

United States *v.* William W. Early, District Court, Western Texas, indictment charging false billing. November 27, 1926, plea of guilty entered and fine of \$500 imposed. Indictment returned November 16, 1926.

United States *v.* R. Fraser, District Court, Oregon, indictment charging violations of the bills of lading act. June 14, 1927, plea of guilty entered, and sentence to serve five years in penitentiary, imposed. Indictment returned December 1, 1926.

United States *v.* Alma Glenshaw, District Court, Utah, indictment charging unlawful use of pass. September 12, 1927, plea of guilty entered and fine of \$100 imposed. Indictment returned September 12, 1927.

United States *v.* Harlem & Morrisania Transportation Line, Inc., District Court, Massachusetts, indictment charging accepting and receiving concessions. March 7, 1927, plea of nolo contendere entered and fine of \$6,000 imposed. Indictment returned January 7, 1927.

United States *v.* Walter Hopkins and Frances Mobely, District Court, Arizona, indictment charging conspiring to use passes unlawfully. November 4, 1927, pleas of guilty entered and sentences to serve 15 months in penitentiary upon Hopkins, and to serve six months in jail upon Mobely, imposed. Indictment returned August 13, 1926.

United States *v.* William J. Howell, Ollie Barkerville and Junius Russell, District Court, Eastern Virginia, indictment charging unlawful use of pass. November 12, 1926, pleas of guilty entered and fines of \$25 upon defendants Howell and Russell and \$15 upon defendant Barkerville imposed. Indictment returned November 8, 1926.

United States *v.* Illinois Central Railroad Company, Southern Railway Company, and The Yazoo & Mississippi Valley Railroad Company, District Court, Eastern Louisiana, indictment charging collecting greater compensation for shorter than for longer distance. August 14, 1927, pleas of guilty entered and fine of \$500 upon the Southern Railway Company, and \$250 each upon the Illinois Central Railroad Company and The Yazoo & Mississippi Valley Railroad Company imposed. Indictment returned April 29, 1927.

United States *v.* Lester James and James Kollock, District Court, Eastern South Carolina, indictment charging unlawful use of pass. November 1, 1926, pleas of guilty entered and fine of \$100 imposed upon each defendant. Indictment returned October 11, 1926.

United States *v.* Kansas City Southern Railway Company, District Court, District of Columbia, indictment charging failing to file notice of issuance of note. August 11, 1927, plea of guilty entered and fine of \$1,500 imposed. Indictment returned June 26, 1925.

United States *v.* Spencer Kellogg & Sons, Inc., District Court, Western New York, indictment charging granting concessions, giving rebates, and practicing discrimination. December 10, 1926, verdict of guilty rendered and fine of \$11,000 imposed. Indictment returned May 8, 1925.

United States *v.* F. L. Lightheizer, District Court, Eastern Virginia, information charging unlawful use of pass. May 27, 1927, plea of guilty entered and sentence to serve 30 days in jail imposed. Information filed May 27, 1927.

United States *v.* W. R. McGowan and R. A. Murray, District Court, Western Pennsylvania, information charging unlawful use of pass. February 23, 1927, pleas of guilty entered and fine of \$100 imposed upon each defendant. Information filed February 18, 1927.

United States *v.* Midland Valley Railroad Company, District Court, Eastern Oklahoma, complaint charging failing to comply with commission's order. July 25, 1927, judgment entered for defendant. Complaint filed March 26, 1926.

United States *v.* David Mitchell and Rosa Bridgers, District Court, Eastern North Carolina, indictment charging unlawful use of pass. May 9, 1927, verdict of guilty rendered as to defendant Bridgers and fine of \$100 imposed; verdict of not guilty rendered as to defendant Mitchell. Indictment returned May 9, 1927.

United States *v.* Niagara Falls Smelting & Refining Corporation and Ernest G. Jarvis, District Court, Western New York, indictment charging filing false claim. November 12, 1926, plea of guilty entered on behalf of corporation and fine of \$1,000 imposed. Nolle prosequi entered on behalf of defendant Jarvis. Indictment returned July 15, 1926.

United States *v.* Northern Pacific Railway Company, District Court, Eastern Washington, petition seeking injunction under section 3 of Elkins Act. February 21, 1927, petition dismissed. Petition filed April 14, 1925.

United States *v.* Northern Pacific Railway Company, District Court, Eastern Washington, indictment charging granting concessions and discriminations. June 21, 1927, nolle prosequi entered. Indictment returned April 9, 1925.

United States *v.* Pennsylvania Fire Works Display Company, District Court, Eastern Pennsylvania, indictment charging violation of Transportation of explosives act. December 17, 1926, plea of guilty entered and fine of \$25 imposed. Indictment returned November 30, 1926.

United States *v.* The Pennsylvania Railroad Company, District Court, Western Pennsylvania, indictment charging collecting greater compensation for a shorter than for a longer distance. April 26, 1927, defendant found guilty by court and fine of \$500 imposed. Indictment returned March 18, 1926.

United States *v.* George Purdie and Ethel Frazier, District Court, Eastern Virginia, information charging unlawful use of pass. November 10, 1926, pleas of guilty entered and fine of \$100 imposed upon each defendant. Information filed October 22, 1926.

United States *v.* Mabel Smith and Harry Thompson, District Court, Northern Illinois, information charging unlawful use of pass. January 27, 1927, pleas of guilty entered and fine of \$25 imposed upon each defendant. Information filed January 11, 1927.

United States *v.* Hugh M. Taylor and Addie Louise Killmon, District Court, Eastern Virginia, information charging unlawful use of pass. November 19, 1926, pleas of guilty entered and fine of \$150 imposed upon each defendant. Information filed November 8, 1926.

United States *v.* Leota Redick Taylor and Elbert Allen Taylor, District Court, Nebraska, information charging unlawful use of pass. March 5, 1927, pleas of guilty entered and fine of \$100 imposed upon each defendant. Information filed March 3, 1927.

United States *v.* Union Pacific Railroad Company and American Smelting & Refining Company, District Court, Nebraska, petition seeking to restrain enforcement of contract providing for lease of property at unreasonable rental and performance of intraplant switching at less than tariff rates. August 23, 1927, petition dismissed without prejudice to the government. Petition filed April 23, 1926.

United States *v.* Washington Fruit & Produce Company, District Court, Eastern Washington, indictment charging false billing. October 10, 1927, plea of guilty entered and fine of \$7,500 imposed. Indictment returned October 10, 1927.

United States *v.* Frank Watson, Simon Watson, and John Marshall, District Court, Western Pennsylvania, information charging unlawful use of pass. June 30, 1927, pleas of guilty entered on behalf of Frank and Simon Watson and fine of \$100 imposed upon each. Nolle prosequi entered as to defendant Marshall. Information filed June 30, 1927.

United States *v.* Webster Manufacturing Company, District Court, Western Wisconsin, indictment charging false billing. August 12, 1927, plea of guilty entered and fine of \$1,800 imposed. Indictment returned May 24, 1927.

United States *v.* George V. Whittle, District Court, Southern New York, indictment charging assenting to the unlawful issuance of bonds. November 27, 1926, nolle prosequi entered. Indictment returned October 9, 1925.

United States *v.* Lincoln H. Young, District Court, Massachusetts, indictment charging false billing. March 7, 1927, nolle prosequi entered. Indictment returned January 7, 1927.

APPENDIX B

SUMMARIES SHOWING ACTION TAKEN SINCE THE PERIOD COVERED BY THE LAST ANNUAL REPORT WITH RESPECT TO CASES INVOLVING ORDERS OR REQUIREMENTS OF THE COMMISSION AND STATUS ON OCTOBER 31, 1927, OF CASES PENDING IN THE COURTS

CASES DECIDED BY THE COURTS SINCE OCTOBER 31, 1926

SUPREME COURT OF THE UNITED STATES

The United States of America and Interstate Commerce Commission, appellants, v. The New York Central Railroad Company, appellee.

Suit in equity to set aside the commission's order of December 9, 1924, in Docket No. 14777, requiring the New York Central to operate at Buffalo tracks connecting its main line with the Erie Basin Barge Canal. 95 I. C. C. 119.

On August 31, 1925, the injunction asked for was granted, and on November 22, 1926, the decree of the lower court was reversed and the order of the commission sustained.

The Virginian Railway Company, appellant, v. The United States of America, The Interstate Commerce Commission, and The Chesapeake and Ohio Railway Company, appellees.

Suit in equity to set aside the commission's order of March 10, 1925, as amended by its order of May 19, 1925, in Dockets Nos. 14454 and 13832, requiring the establishment of reasonable and nonprejudicial rates on coal, in car-loads, from mines on the Virginian Railway in the New River district of West Virginia to interstate destinations in C. F. A. territory. 96 I. C. C. 359 and 98 I. C. C. 488.

On September 19, 1925, the injunction asked for was denied, and on December 13, 1926, the decree of the lower court was affirmed and the order of the commission sustained.

New York, Ontario & Western Railway Company, appellant, v. The United States of America and Interstate Commerce Commission, appellees.

Suit in equity to annul the commission's orders of October 20, 1925, and January 15, 1926, and the proceedings had pursuant thereto, reopening the *New York, Ontario & Western Valuation* case for the introduction of additional evidence.

On June 1, 1926, the petition was dismissed, and on January 10, 1927, the decree of the lower court was affirmed and the orders of the commission sustained.

The United States of America and Interstate Commerce Commission, appellants, v. Los Angeles & Salt Lake R. R. Co., appellee.

Suit in equity to set aside an order of the commission dated June 7, 1923, in Valuation Docket No. 26, *San Pedro, Los Angeles & Salt Lake R. R. Co.* 75 I. C. C. 463.

On December 7, 1925, the injunction asked for was granted, and on February 21, 1927, the decree of the lower court was reversed and the order of the commission sustained.

The Chicago, Rock Island and Pacific Railway Co. and St. Louis-San Francisco Railway Co., appellants, v. United States of America and Interstate Commerce Commission, appellees.

Suit in equity to set aside the commission's order of March 9, 1925, as modified March 28 and April 29, 1925, in Docket No. 13418, requiring the establishment of joint rail-and-water and rail-water-and-rail rates on cotton from points in Oklahoma, via Galveston, Tex., to points in New England territory. 87 I. C. C. 392 and 93 I. C. C. 268.

On June 9, 1925, the bill of complaint was dismissed, and on April 11, 1927, the decree of the lower court was affirmed and the order of the commission sustained.

United States of America and Interstate Commerce Commission, appellants, v. Bethlehem Steel Co., Bethlehem Mines Corporation, Bethlehem Steel Corporation, Illinois Steel Co., et al., The Steel Co. of Canada, Ltd., et al., and The Youngstown Sheet and Tube Co., appellees.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on May 31, 1927, the decree of the lower court was reversed and the orders of the commission sustained.

United States of America and Interstate Commerce Commission, appellants, v. Berwind-White Coal Mining Co., Westmoreland Coal Co., New River & Pocahontas Consolidated Coal Co., and Pennsylvania Coal and Coke Corporation, appellees.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on May 31, 1927, the decree of the lower court was reversed and the orders of the commission sustained.

United States of America and Interstate Commerce Commission, appellants, v. Rainey-Wood Coke Co., Seaboard By-Product Coke Co., Chicago By-Product Coke Co., and Donner-Hanna Coke Corporation, appellees.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on May 31, 1927, the decree of the lower court was reversed and the orders of the commission sustained.

United States of America and Interstate Commerce Commission, appellants, v. Akron, Canton & Youngstown Railway et al., appellees.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on May 31, 1927, the decree of the lower court was reversed and the order of the commission sustained.

United States of America and Interstate Commerce Commission, appellants, v. Public Service Electric and Gas Co., appellee.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On November 25, 1925, the injunction asked for was granted, and on May 31, 1927, the decree of the lower court was reversed and the order of the commission sustained.

DISTRICT COURTS OF THE UNITED STATES

The Kansas City Southern Railway Company et al. v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Western District of Missouri.

Suit in equity to set aside orders of the commission dated July 1, 1919, and March 4, 1924, in Valuation Docket No. 4, *The Kansas City Southern Railway Company et al.* 75 I. C. C. 223 and 84 I. C. C. 113.

On December 31, 1926, the injunction asked for was granted, and on June 10, 1927, the case was docketed on appeal in the Supreme Court of the United States.

Brimstone Railroad & Canal Company, petitioner, v. United States of America, Louisiana Western Railroad Company, and Kansas City Southern Railway Company, defendants, and Interstate Commerce Commission, intervening defendant. Western District of Louisiana.

Suit in equity to set aside an order of the commission dated December 14, 1925, fixing divisions on freight traffic between the Brimstone Railroad & Canal Co. on the one hand and the Louisiana Western Railroad Co. and the Kansas City Southern Railway Co. on the other hand. 68 I. C. C. 375, 88 I. C. C. 62, and 104 I. C. C. 415.

On May 22, 1926, the preliminary injunction asked for was granted. On November 19, 1926, the case was argued and submitted on final hearing, and on January 7, 1927, the injunction was denied and the petition dismissed. On

January 19, 1927, order of the court enjoining enforcement of the commission's order pending appeal was issued, and on May 9, 1927, the case was docketed on appeal in the Supreme Court of the United States.

The Baltimore & Ohio Railroad Company et al., plaintiffs, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Northern District of Illinois.

Suit in equity to set aside the commission's order of July 12, 1926, requiring certain carriers to establish the practice of absorbing charges for transporting from East St. Louis to St. Louis freight traffic shipped on combination through rates from points of origin east of East St. Louis to points of destination west of St. Louis. 113 I. C. C. 681, Docket No. 16697.

On November 12, 1926, the bill of complaint was filed, on December 8, 1926, the injunction asked for was denied, and on July 28, 1927, the case was docketed on appeal in the Supreme Court of the United States.

Brooklyn Eastern District Terminal, petitioner, v. The United States, respondent, and Interstate Commerce Commission, intervening respondent. Southern District of New York.

Suit in equity to annul and set aside the report, findings, and orders of the commission in Finance Docket No. 3644, *Excess Income of Brooklyn Eastern District Terminal.* 94 I. C. C. 577.

On July 6, 1926, the petition was filed, and on July 29, 1927, it was dismissed because the suit had been prematurely instituted.

Missouri Pacific Railroad Company, petitioner, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Western District of Arkansas.

Suit in equity to set aside the order of the commission in *Fort Smith, Subiaco & Rock Island Railroad Company v. Alabama & Vicksburg Railway Company et al.*, 107 I. C. C. 523, requiring the Missouri Pacific and other carriers to establish through routes and joint rates, applicable via the line of the Fort Smith, Subiaco & Rock Island Railroad Co., on traffic moving under class and commodity rates between points of origin and destination named in certain Southwestern Lines Tariffs.

On April 10, 1926, the petition was filed, on May 28, 1926, a preliminary injunction was granted, and on August 5, 1927, a permanent injunction was issued.

Alexander Sprunt & Son, Inc., et al., plaintiffs, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Southern District of Texas.

Suit in equity to set aside the commission's orders of June 23, 1925, and April 4, 1927, requiring certain carriers to remove undue prejudice found to exist between domestic and shipside rates applied to the transportation of cotton from points in Oklahoma, Arkansas, Texas, and Louisiana (on and west of the west bank of the Mississippi River) to Gulf ports. 100 I. C. C. 159 and 123 I. C. C. 685, Dockets Nos. 13991 and 14940.

On July 1, 1927, the bill of complaint was filed, and on July 13, 1927, the interlocutory injunction asked for was issued.

Texas & New Orleans Railroad Company, et al., complainants, v. The United States of America, respondent, and Interstate Commerce Commission, intervening respondent. Southern District of Texas.

Suit in equity to set aside the commission's orders of June 23, 1925, and April 4, 1927, requiring certain carriers to remove undue prejudice found to exist between domestic and shipside rates applied to the transportation of cotton from points in Oklahoma, Arkansas, Texas, and Louisiana (on and west of the west bank of the Mississippi River) to Gulf ports. 100 I. C. C. 159 and 123 I. C. C. 685, Dockets Nos. 13991 and 14940.

On July 6, 1927, the bill of complaint was filed, and on July 13, 1927, the interlocutory injunction asked for was issued.

The Akron, Canton & Youngstown Railway Company, et al., petitioners, v. The United States of America, respondent, and Interstate Commerce Commission, intervening respondent. Western District of New York.

Suit in equity to set aside the commission's order of February 14, 1927, prescribing rates for the transportation of salt between points in the northeastern

part of the United States. 122 I. C. C. 21, I. & S. Docket No. 2440, and Dockets Nos. 14250 and 16695.

On June 11, 1927, the petition was filed, and on August 18, 1927, the interlocutory injunction asked for was denied. On September 23, 1927, motion for stay order pending appeal was argued, stay order was denied, and final decree entered dismissing the petition.

Great Northern Railway Company, petitioner, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. District of Minnesota, Third Division.

Suit in equity to set aside the commission's certificate of June 8, 1926, correcting former certificates and showing amounts due under section 209 of the transportation act to Great Northern Railway Co., Farmers' Grain & Shipping Co., and Watertown and Sioux Falls Railway Co. 99 I. C. C. 231 and 111 I. C. C. 318. Finance Docket No. 501.

On November 12, 1926, the petition was filed and on June 13, 1927, the case was argued and submitted for decision. On September 30, 1927, the case was dismissed by the court for want of jurisdiction.

COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

Interstate Commerce Commission, appellant, v. The United States of America, ex rel. Fort Dodge, Des Moines and Southern Railroad Company, appellee.

Petition for writ of mandamus to compel the commission to appoint a board of referees to determine the carrier's compensation for the guaranty period covered by section 209 of the transportation act, 1920. 94 I. C. C. 512.

On June 14, 1926, the petition for writ of mandamus was granted by the Supreme Court of the District of Columbia, and on February 7, 1927, the judgment of the lower court was reversed and the petition ordered to be dismissed. In May, 1927, the case was dropped from the docket because of failure of the carrier to appeal to the Supreme Court of the United States for a writ of certiorari.

SUPREME COURT OF THE DISTRICT OF COLUMBIA

The United States ex rel. Minneapolis, Northfield & Southern Railway v. Interstate Commerce Commission.

Petition for writ of mandamus to compel the commission to certify to the Secretary of the Treasury the sum of \$29,946.31 as due and owing to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 763.

On March 9, 1926, the rule to show cause was discharged and the petition dismissed, and in February, 1927, the case was dropped from the docket because of failure of the carrier to take an appeal.

United States of America ex rel. Manitou & Pike's Peak Railway Company v. Interstate Commerce Commission.

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit from June 29, 1918, to February 29, 1920, inclusive, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 767.

On June 14, 1926, the writ of mandamus was denied and the petition dismissed, and in January, 1927, the case was dropped from the docket because of failure of the carrier to take an appeal.

Northern Pacific Railway Company, petitioner, v. Interstate Commerce Commission, respondent.

Petition for writ of certiorari and to annul and set aside the commission's certificates of June 17, 1925, and July 24, 1926, correcting former certificates made under section 209 of the transportation act and stating aggregate amount due to the United States from carriers included in the Northern Pacific system. 99 I. C. C. 247 and 111 I. C. C. 340, Finance Docket No. 708.

On April 23, 1927, the petition for writ of certiorari was dismissed, and on May 9, 1927, the case was appealed to the Court of Appeals of the District of Columbia.

CASES DISCONTINUED

DISTRICT COURTS OF THE UNITED STATES

The State of Iowa et al., plaintiffs, v. The United States, Interstate Commerce Commission et al., defendants. Southern District of Iowa.

Suit in equity to set aside an order of the commission in Docket No. 11761, requiring increases in certain intrastate fares and charges in the State of Iowa. 60 I. C. C. 55.

On May 10, 1921, the commission filed its answer, and, according to advice of January 25, 1927, the case was dismissed for want of prosecution.

The State of North Dakota ex rel. William Lemke, Attorney General, plaintiff, v. United States of America, Interstate Commerce Commission, Chicago & North Western Railway Co., et al., defendants. District of North Dakota.

Suit in equity to set aside an order of the commission in Ex parte 74, in so far as it relates to surcharges upon passengers riding in Pullman and in parlor cars in interstate commerce in North Dakota. 58 I. C. C. 220.

On July 11, 1921, the petition was filed, and, according to advice of February 7, 1927, the case was dismissed for want of prosecution.

Laclede-Christy Clay Products Company, et al., plaintiffs, v. The United States of America, et al., defendants, and Interstate Commerce Commission, intervening defendant. Northern District of Illinois.

Suit in equity to set aside commission's order of February 5, 1924, in Docket No. 14249, requiring the removal of undue prejudice found to exist between rates on brick to Chicago and points taking Chicago rates from Ottawa, Ill., on the one hand, and rates to the same destination from the St. Louis district on the other hand. 87 I. C. C. 523.

On May 16, 1924, the restraining order and temporary injunction asked for were denied, and in February, 1927, the case was dropped from the docket because of failure of the carrier to take an appeal.

Illinois Slag and Ballast Company, complainant, v. United States of America, et al., defendants, and Interstate Commerce Commission, intervening defendant. Northern District of Illinois.

Suit in equity to set aside the commission's order in *Chicago Gravel Company, et al., v. A., T. & S. F. Ry. Co., et al.*, 118 I. C. C. 633, Docket No. 17817, in so far as it covers rates on slag.

On February 12, 1927, the bill of complaint was filed, and on February 14, 1927, the injunction asked for was denied. On March 2, 1927, the bill of complaint was dismissed upon motion of the complainant.

State of Texas v. United States and New Orleans, Texas & Mexico Railway Company. Eastern District of Louisiana.

Suit in equity to annul and set aside the commission's order of June 12, 1924, Finance Docket 3478, conditionally authorizing the New Orleans, Texas & Mexico Railway Co. to acquire control of the International-Great Northern Railroad Co. by purchase of its capital stock. 90 I. C. C. 262.

On June 19, 1924, the bill of complaint was filed, and on May 3, 1927, the bill was dismissed.

West Virginia Northern Railroad Company, petitioner, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Eastern District of Pennsylvania.

Suit in equity to annul the commission's order of April 23, 1926, fixing the final value of the property of the West Virginia Northern Railroad Co. as of June 30, 1918. 110 I. C. C. 385.

On August 27, 1926, the petition was filed, and on May 9, 1927, it was dismissed on authority of Supreme Court decision in *Los Angeles & Salt Lake Valuation case*.

The Texas Mexican Railway Company v. United States, defendant, and Interstate Commerce Commission, intervening defendant. Southern District of Texas.

Suit in equity to set aside the commission's order of July 16, 1926, in Valuation Docket No. 614, fixing final value for rate-making purposes of property of The Texas Mexican Railway Co. as of June 30, 1919. 114 I. C. C. 677.

On December 7, 1926, the bill of complaint was filed, and on April 19, 1927, the case was dismissed by the court for want of equity.

The Kansas City Southern Railway Co., plaintiff, v. The United States, defendant, and Interstate Commerce Commission, intervening defendant. Western District of Missouri.

Suit in equity to annul and set aside the commission's orders of June 13, 1922, December 26, 1922, and July 18, 1924, in Docket No. 13413, *In the Matter of Automatic Train-Control Devices*. 69 I. C. C. 258 and 91 I. C. C. 426.

On December 31, 1924, the petition was filed, and on March 17, 1927, it was dismissed on motion of the carrier.

Jefferson Island Salt Mining Co., Myles Salt Co., plaintiffs, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Northern District of Ohio.

Suit in equity to set aside the commission's orders of October 14, 1924, in Dockets Nos. 14106, 14025, and 14157, in so far as they prescribe minimum rates on salt in carloads from Louisiana salt mines to Chicago, St. Louis, Cincinnati, Louisville, and Indianapolis, and from New York, Michigan, and Kansas mines to the same points. 92 I. C. C. 388.

On May 19, 1925, the injunction asked for was denied, and in January, 1927, the case was dropped from the docket because of expiration of time for taking appeal.

F. C. Wallower and Harrison C. Rogers, Receivers for the Southwest Missouri Railroad Company, and the Southwest Missouri Railroad Company, petitioners, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Western District of Missouri.

Suit in equity to set aside the commission's order of June 8, 1926, 113 I. C. C. 179, Docket No. 16901, requiring the Southwest Missouri to cancel its tariff I. C. C. No. 12, which provided for certain absorptions on account of drayage of ore shipped in carloads from points in Oklahoma to points in other States.

On January 8, 1927, the injunction asked for was denied, and in May, 1927, the case was dropped from the docket because of expiration of time for taking appeal.

The Chicago, Rock Island and Pacific Railway Company, and St. Louis-San Francisco Railway Company, plaintiffs, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Eastern District of Louisiana.

Suit in equity to set aside the commission's order of June 26, 1925, in Docket No. 13736, 95 I. C. C. 77, requiring the establishment of joint rail-and-water and rail-water-and-rail rates on cotton from points in Oklahoma, via New Orleans, La., to points in New England territory.

On July 27, 1925, the bill of complaint was filed, and on May 16, 1927, the case was dismissed by the court because no action had been taken for more than one year.

COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

Interstate Commerce Commission, appellant, v. The United States of America, ex rel. Fort Dodge, Des Moines and Southern Railroad Company, appellee.

Petition for writ of mandamus to compel the commission to appoint a board of referees to determine the carrier's compensation for the guaranty period covered by section 209 of the transportation act, 1920. 94 I. C. C. 512.

On June 14, 1926, the petition for writ of mandamus was granted by the Supreme Court of the District of Columbia, and on February 7, 1927, the judgment of the lower court was reversed and the petition ordered to be dismissed. In May, 1927, the case was dropped from the docket because of failure of the carrier to appeal to the Supreme Court of the United States for a writ of certiorari.

SUPREME COURT OF THE DISTRICT OF COLUMBIA

The United States ex rel. Minneapolis, Northfield & Southern Railway v. Interstate Commerce Commission.

Petition for writ of mandamus to compel the commission to certify to the Secretary of the Treasury the sum of \$29,946.31 as due and owing to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 763.

On March 9, 1926, the rule to show cause was discharged and the petition dismissed, and in February, 1927, the case was dropped from the docket because of failure of the carrier to take an appeal.

United States of America ex rel. Manitou & Pike's Peak Railway Company v. Interstate Commerce Commission.

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit from June 29, 1918, to February 29, 1920, inclusive, and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 94 I. C. C. 767.

On June 14, 1926, the writ of mandamus was denied and the petition dismissed, and in January, 1927, the case was dropped from the docket because of failure of the carrier to take an appeal.

CASES PENDING IN THE COURTS OCTOBER 31, 1927

SUPREME COURT OF THE UNITED STATES

The United States of America and Interstate Commerce Commission, appellants, v. The Kansas City Southern Railway Company et al., appellees.

Suit in equity to set aside orders of the commission dated July 1, 1919, and March 4, 1924, in Valuation Docket No. 4, *The Kansas City Southern Railway Company et al.* 75 I. C. C. 223 and 84 I. C. C. 113.

On December 31, 1926, the injunction asked for was granted, and on June 10, 1927, the case was docketed on appeal in the Supreme Court of the United States.

The Baltimore & Ohio Railroad Company et al., appellants, v. The United States of America and Interstate Commerce Commission, appellees.

Suit in equity to set aside the commission's order of July 12, 1926, requiring certain carriers to establish the practice of absorbing charges for transporting from East St. Louis to St. Louis freight traffic shipped on combination through rates from points of origin east of East St. Louis to points of destination west of St. Louis. 113 I. C. C. 681, Docket No. 16697.

On December 8, 1926, the injunction asked for was denied and the bill dismissed, and on July 28, 1927, the case was docketed on appeal in the Supreme Court of the United States.

The Cleveland, Cincinnati, Chicago & St. Louis Railway Company, appellant, v. United States, J. K. Dering Coal Company, Illinois Central Railroad Company, Southern Illinois Railway and Power Company, and Interstate Commerce Commission, appellees.

Suit in equity to set aside the commission's order of February 7, 1925, 96 I. C. C. 143, as affirmed by its order of March 1, 1926, 109 I. C. C. 55, requiring The Cleveland, Cincinnati, Chicago & St. Louis Railway Co. to install a switch connection between its line near El Dorado, Ill., and a track which serves and was constructed by the Dering Coal Co.

On April 17, 1926, the interlocutory injunction was denied, and on April 24, 1926, the bill was dismissed on final hearing. On July 27, 1926, the case was docketed on appeal in the Supreme Court of the United States.

Brimstone Railroad & Canal Company, appellant, v. United States of America, Louisiana Western Railroad Company, Kansas City Southern Railway Company, and Interstate Commerce Commission, appellees.

Suit in equity to set aside the commission's order of December 14, 1925, fixing divisions on freight traffic between the Brimstone Railroad & Canal Co., on the one hand and the Louisiana Western Railroad Co. and the Kansas City Southern Railway Co., on the other hand. 68 I. C. C. 375, 88 I. C. C. 62, and 104 I. C. C. 415.

On May 22, 1926, the preliminary injunction asked for was granted. On November 19, 1926, the case was argued and submitted on final hearing, and on January 7, 1927, the injunction was denied and the petition dismissed. On January 19, 1927, order of the court enjoining enforcement of the commission's order pending appeal was issued, and on May 9, 1927, the case was docketed on appeal in the Supreme Court of the United States. On October 10-11, 1927, the case was argued and submitted for decision.

DISTRICT COURTS OF THE UNITED STATES

Brooklyn Eastern District Terminal, petitioner, v. The United States, respondent, and Interstate Commerce Commission, intervening respondent. Southern District of New York.

Suit in equity to annul and set aside the report, findings, and orders of the commission in Finance Docket No. 3644, *Excess Income of Brooklyn Eastern District Terminal*, 94 I. C. C. 577.

On July 6, 1926, the petition was filed, and on July 29, 1927, it was dismissed because the suit was prematurely instituted.

Pending further action.

Carnegie Steel Company, plaintiff, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Western District of Pennsylvania.

Suit in equity to set aside the commission's amended order of June 4, 1925, 107 I. C. C. 676, Docket No. 15239, in so far as it denies to the Carnegie Steel Co. reparation on certain shipments of coal transported from points in Kentucky, Virginia, and West Virginia, to Clairton, Pa.

On October 18, 1926, the bill of complaint was filed, and on November 16, 1926, the intervention and answer of the commission were filed.

Pending hearing.

Great Northern Railway Company, petitioner, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. District of Minnesota, Third Division.

Suit in equity to set aside the commission's certificate of June 8, 1926, correcting former certificates and showing amounts due under section 209 of the transportation act to Great Northern Railway Co., Farmers' Grain & Shipping Co., and Watertown and Sioux Falls Railway Co., 99 I. C. C. 231, and 111 I. C. C. 318. Finance Docket No. 501.

On November 12, 1926, the petition was filed, and on June 13, 1927, the case was argued and submitted for decision. On September 30, 1927, the case was dismissed by the court for want of jurisdiction.

Pending further action.

Armour and Company, a corporation, and Swift and Company, a corporation, petitioners, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. District of Minnesota, Fifth Division.

Suit in equity to set aside the commission's order of April 29, 1925, in so far as it affects rates for the transportation of fresh meats and packing-house products from St. Paul and South St. Paul to Duluth. 98 I. C. C. 352.

On March 12, 1927, the petition was filed, and on April 4, 1927, the intervention and answer of the commission were filed.

Pending hearing.

The St. Louis and O'Fallon Railway Company and Manufacturer's Railway Company, petitioners, v. United States of America and Interstate Commerce Commission, defendants. Eastern District of Missouri, Eastern Division.

Suit in equity to set aside the commission's order of February 15, 1927, in Finance Dockets Nos. 3908 and 4026, requiring payment to the commission by the St. Louis and O'Fallon of excess net railway operating income. 124 I. C. C. 3.

On May 3, 1927, the petition was filed, and on May 31, 1927, the answer of the commission was filed. On October 5-7, 1927, the case was argued and submitted for decision.

Chicago, Indianapolis & Louisville Railway Company, petitioner, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. District of Indiana.

Suit in equity to set aside the commission's certificate of July 8, 1925, correcting former certificates and showing amount due under section 209 of the transportation act to the Chicago, Indianapolis & Louisville Railway Co. 99 I. C. C. 372 and 111 I. C. C. 355.

On May 3, 1927, the petition was filed, and on May 20, 1927, the intervention and answer of the commission were filed.

Pending hearing.

Alexander Sprunt & Son, Inc., et al., plaintiffs, v. United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Southern District of Texas.

Suit in equity to set aside the commission's orders of June 23, 1925, and April 4, 1927, requiring certain carriers to remove undue prejudice found to exist between domestic and ship-side rates applied to the transportation of cotton from points in Oklahoma, Arkansas, Texas, and Louisiana (on and west of the west bank of the Mississippi River) to Gulf ports. 100 I. C. C. 159 and 123 I. C. C. 685, Dockets Nos. 13991 and 14940.

On July 1, 1927, the bill of complaint was filed, and on July 13, 1927, the interlocutory injunction asked for was issued.

Texas & New Orleans Railroad Company, et al., complainants, v. The United States of America, respondent, and Interstate Commerce Commission, intervening respondent. Southern District of Texas.

Suit in equity to set aside the commission's orders of June 23, 1925, and April 4, 1927, requiring certain carriers to remove undue prejudice found to exist between domestic and ship-side rates applied to the transportation of cotton from points in Oklahoma, Arkansas, Texas, and Louisiana (on and west of the west bank of the Mississippi River) to Gulf ports. 100 I. C. C. 159 and 123 I. C. C. 685, Dockets Nos. 13991 and 14940.

On July 6, 1927, the bill of complaint was filed, and on July 13, 1927, the interlocutory injunction asked for was issued.

The Akron, Canton & Youngstown Railway Company, et al., petitioners, v. The United States of America, respondent, and Interstate Commerce Commission, intervening respondent. Western District of New York.

Suit in equity to set aside the commission's order of February 14, 1927, prescribing rates for the transportation of salt between points in the north-eastern part of the United States. 122 I. C. C. 21, I. & S. Docket No. 2440, and Dockets Nos. 14250 and 16695.

On June 11, 1927, the petition was filed, and on August 18, 1927, the interlocutory injunction asked for was denied. On September 23, 1927, motion for stay order pending appeal was argued, stay order was denied, and final decree entered dismissing the petition.

Missouri Pacific Railroad Company, petitioner, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Western District of Arkansas.

Suit in equity to set aside the order of the commission in *Fort Smith, Subiaco & Rock Island Railroad Company v. Alabama & Vicksburg Railway Company et al.*, 107 I. C. C. 523, requiring the Missouri Pacific and other carriers to establish through routes and joint rates, applicable via the line of the Fort Smith, Subiaco & Rock Island Railroad Company, on traffic moving under class and commodity rates between points of origin and destination named in certain Southwestern Lines Tariffs.

On April 10, 1926, the petition was filed, on May 28, 1926, a preliminary injunction was granted, and on August 5, 1927, a permanent injunction was issued.

DISTRICT COURTS OF THE UNITED STATES

Pittsburgh & Shawmut Coal Co., Title Guarantee & Trust Co., and J. J. Jermyn, complainants, v. The Delaware & Northern Railroad Co., defendant. Northern District of New York.

Petition and order to show cause why the receivers of the property of the Delaware & Northern should not be permitted to abandon the operation of the property of that company for common-carrier purposes, and to sell the property and distribute the proceeds of the sale to creditors and stockholders.

On May 17, 1923, the application was denied.

Pending further action.

The Baltimore & Ohio Railroad Co. et al., plaintiffs, v. United States of America, The New York Central Railroad Co., et al., defendants, and Interstate Commerce Commission, intervening defendant. Northern District of Illinois, Eastern Division.

Suit in equity to set aside an order of the commission granting permission to the New York Central Railroad Co. to purchase the stock of Chicago River & Indiana Railroad Co., and granting to the latter permission to lease the properties of the Chicago Junction Railway Co. 71 I. C. C. 631.

On June 27, 1923, the injunction asked for was denied, motions of certain defendants to dismiss sustained, and bill dismissed. On March 3, 1924, the decree of the lower court was reversed by the Supreme Court of the United States, in so far as it sustained the motions to dismiss, and on April 8, 1924, the case was remanded to the lower court for further proceedings. 264 U. S. 258.

Pending further action.

Ford Motor Company, a Delaware Corporation, and Fordson Coal Co., a Delaware Corporation, plaintiffs, v. The United States of America, defendant, and Interstate Commerce Commission, intervening defendant. Eastern District of Kentucky.

Suit in equity to set aside the commission's orders of June 13, 1923, and December 23, 1924, in Docket No. 12530, relating to the distribution of assigned cars among coal mines. 80 I. C. C. 520 and 93 I. C. C. 701.

On February 26, 1925, the petition was filed, and on June 6, 1925, the case was argued and submitted for decision.

COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

Northern Pacific Railway Company, appellant, v. Interstate Commerce Commission, appellee.

Petition for writ of certiorari and to annul and set aside the commission's certificates of June 17, 1925, and July 24, 1926, correcting former certificates made under section 209 of the transportation act and stating aggregate amount due to the United States from carriers included in the Northern Pacific System. 99 I. C. C. 247 and 111 I. C. C. 340. Finance Docket No. 708.

On April 23, 1927, the petition for writ of certiorari was dismissed, and on May 9, 1927, the case was appealed to the Court of Appeals of the District of Columbia. On October 6, 1927, the case was argued and submitted for decision.

SUPREME COURT OF THE DISTRICT OF COLUMBIA

United States of America, ex rel. United Railway Company, a Corporation, plaintiff, v. Interstate Commerce Commission, respondent.

Petition for writ of mandamus to compel the commission to ascertain the amount of the carrier's deficit for the Federal control period and to certify to the Secretary of the Treasury that the amount is payable to the carrier under section 204 of the transportation act, 1920. 86 I. C. C. 661.

On March 16, 1926, the petition was filed, and on March 25, 1926, the answer of the commission was filed.

Pending hearing.

APPENDIX C

STATISTICAL SUMMARIES

- A. Statistics of Railway Development since 1908.
- B. Statistics from Monthly and other Periodical Reports of Carriers.

A. STATISTICS OF RAILWAY DEVELOPMENT

In the following tables slight adjustments have been made in some of the figures heretofore published, in order to allow as fully as possible for changes in methods of compilation. It should be observed also that the figures in this section for the last calendar year are based on special and preliminary compilations, made mostly from annual reports of railway companies, and are subject to changes necessitated by subsequent corrections in returns or otherwise.

TABLE I.—*Mileage operated and mileage owned by steam railways in the United States, not including switching and terminal companies, 1908-1926*

Year ended—	Miles of road owned in the United States ¹	Mileage operated by railways of Classes I, II, and III (including trackage rights)			
		Miles of road	Miles of second or additional main tracks	Miles of yard track and sidings	Miles of all tracks
June 30—					
1908.....	233, 468	230, 494	23, 699	79, 453	333, 646
1909.....	236, 854	235, 402	24, 573	82, 377	342, 352
1910.....	240, 293	240, 831	25, 354	85, 582	351, 767
1911.....	243, 979	246, 238	27, 612	88, 974	362, 824
1912.....	246, 777	249, 852	29, 367	92, 019	371, 238
1913.....	249, 777	253, 470	30, 827	95, 211	379, 508
1914.....	252, 105	256, 547	32, 376	98, 285	387, 208
1915.....	253, 789	257, 569	33, 662	99, 910	391, 141
1916.....	254, 251	259, 211	33, 864	101, 869	394, 944
Dec. 31—					
1916.....	254, 037	259, 705	34, 325	102, 984	397, 014
1917.....	253, 626	259, 705	35, 066	105, 582	400, 353
1918.....	253, 529	258, 507	36, 228	107, 608	402, 343
1919.....	253, 152	258, 525	36, 730	108, 637	403, 892
1920.....	252, 845	259, 941	36, 894	109, 744	406, 579
1921.....	251, 176	258, 362	37, 614	111, 555	407, 531
1922.....	250, 413	257, 425	37, 888	114, 046	409, 359
1923.....	250, 222	258, 084	38, 697	116, 212	412, 993
1924.....	250, 156	258, 238	39, 916	116, 874	415, 028
1925.....	249, 398	258, 631	40, 962	118, 361	417, 954
1926.....	249, 712	258, 741	41, 686	120, 841	421, 268

¹ Includes mileage of some small companies that do not make annual reports to the commission.

TABLE II.—*Equipment of steam railways in service at the close of each year, 1908-1926*¹

Year ended—	Number of locomotives	Average tractive power	Number of freight cars (excluding caboose)	Average capacity	Number of passenger-train cars
June 30—		<i>Pounds</i>		<i>Tons</i>	
1908.....	57, 698	26, 356	2, 100, 784	34. 9	45, 292
1909.....	58, 219	26, 601	2, 086, 835	35. 3	45, 664
1910.....	60, 019	27, 282	2, 148, 478	35. 9	47, 179
1911.....	62, 463	28, 291	2, 208, 997	36. 9	49, 906
1912.....	63, 463	29, 049	2, 229, 163	37. 4	51, 583
1913.....	65, 597	30, 258	2, 298, 478	38. 3	52, 717
1914.....	67, 012	31, 006	2, 349, 734	39. 1	54, 492
1915.....	66, 502	31, 501	2, 341, 567	39. 7	55, 810
1916.....	65, 314	32, 380	2, 313, 378	40. 5	54, 774
Dec. 31—					
1916.....	65, 595	32, 840	2, 329, 475	40. 9	55, 193
1917.....	66, 070	33, 932	2, 379, 472	41. 5	55, 939
1918.....	67, 936	34, 995	2, 397, 943	41. 6	56, 611
1919.....	68, 977	35, 789	2, 426, 889	41. 9	56, 290
1920.....	68, 942	36, 365	2, 388, 424	42. 4	56, 102
1921.....	69, 122	36, 935	2, 378, 510	42. 5	56, 950
1922.....	68, 518	37, 441	2, 352, 483	43. 1	56, 827
1923.....	69, 414	39, 177	2, 379, 131	43. 8	57, 159
1924.....	69, 486	39, 891	2, 411, 627	44. 3	57, 451
1925.....	68, 092	40, 666	2, 414, 083	44. 8	56, 814
1926.....	66, 825	41, 536	2, 402, 410	45. 0	56, 891

¹ The figures relating to the number of locomotives and cars as published have been adjusted to cover all operating roads each year, but the figures showing average tractive power of locomotives and average capacity of freight cars are as published in the Statistics of Railways. The fact that the same classes of railways have not been covered each year affects these averages only slightly. Privately owned cars are not included.

TABLE III.—*Railway capital actually outstanding and net income, 1908-1926: Steam railways, excluding switching and terminal companies*

Year ended—	Total railway capital	Funded debt	Stock	Ratio of debt to capital	Net income	Ratio of net income to stock
June 30—				<i>Per cent</i>		<i>Per cent</i>
1908.....	\$16, 198, 731, 489	\$8, 897, 992, 216	\$7, 300, 739, 273	54. 9	\$443, 986, 915	6. 08
1909.....	16, 992, 530, 340	9, 380, 119, 114	7, 612, 411, 226	55. 2	441, 062, 743	5. 79
1910.....	17, 774, 426, 871	9, 763, 696, 861	8, 010, 730, 010	54. 9	583, 191, 124	7. 28
1911.....	18, 437, 820, 946	10, 074, 545, 054	8, 363, 275, 892	54. 6	547, 280, 771	6. 54
1912.....	18, 989, 345, 476	10, 436, 898, 200	8, 552, 447, 276	55. 0	453, 125, 324	5. 30
1913.....	19, 028, 535, 973	10, 428, 543, 119	8, 599, 992, 554	54. 8	544, 201, 074	6. 33
1914.....	19, 401, 083, 881	10, 746, 868, 639	8, 654, 215, 242	55. 4	395, €31, 642	4. 57
1915.....	19, 719, 893, 944	11, 084, 574, 576	8, 633, 319, 368	56. 2	354, 786, 729	4. 11
1916.....	19, 681, 193, 092	10, 938, 086, 453	8, 743, 106, 639	55. 6	671, 398, 243	7. 68
Dec. 31—						
1916.....	19, 630, 610, 082	10, 875, 206, 565	8, 755, 403, 517	55. 4	735, 341. 165	8. 40
1917.....	19, 764, 941, 991	10, 761, 145, 441	9, 003, 796, 550	54. 5	658, 224, 696	7. 31
1918.....	19, 453, 272, 003	10, 606, 556, 489	8, 846, 716, 514	54. 5	442, 336, 131	5. 00
1919.....	19, 539, 283, 350	10, 656, 158, 685	8, 883, 124, 665	54. 5	496, 669, 104	5. 59
1920.....	20, 098, 046, 374	11, 254, 946, 156	8, 843, 100, 218	56. 0	481, 950, 969	5. 45
1921.....	20, 247, 686, 960	11, 357, 766, 232	8, 889, 920, 728	56. 1	350, 539, 608	3. 94
1922.....	20, 463, 595, 243	11, 501, 958, 520	8, 961, 636, 723	56. 2	434, 459, 186	4. 85
1923.....	21, 057, 513, 319	11, 964, 580, 105	9, 092, 933, 214	56. 8	632, 117, 581	6. 95
1924.....	21, 680, 783, 511	12, 380, 730, 224	9, 300, 053, 287	57. 1	623, 399, 393	6. 70
1925.....	21, 734, 095, 754	12, 320, 995, 118	9, 413, 100, 636	56. 7	771, 053, 077	8. 19
1926.....	21, 803, 764, 011	12, 438, 996, 077	9, 364, 767, 934	57. 0	883, 625, 820	9. 44

TABLE IV.—*Dividends, 1908-1926: Steam railways, excluding switching and terminal companies*

Year ended—	Proportion of stock paying dividends ¹	Amount of dividends ¹	Average rate on—	
			Dividend-paying stock ¹	All stock
June 30—	<i>Per cent</i>		<i>Per cent</i>	<i>Per cent</i>
1908.....	65. 69	\$390, 695, 351	8. 07	5. 30
1909.....	64. 01	321, 071, 626	6. 53	4. 18
1910.....	66. 71	405, 771, 416	7. 50	5. 00
1911.....	67. 65	460, 195, 376	8. 03	5. 42
1912.....	64. 73	400, 315, 313	7. 17	4. 64
1913.....	66. 14	369, 077, 546	6. 37	4. 22
1914.....	64. 39	451, 653, 346	7. 97	5. 13
1915.....	60. 45	328, 477, 938	6. 29	3. 80
1916.....	60. 38	342, 109, 396	6. 48	3. 91
Dec. 31—				
1916.....	62. 02	366, 561, 494	6. 75	4. 19
1917.....	62. 32	381, 851, 548	6. 81	4. 24
1918.....	58. 09	339, 185, 658	6. 60	3. 83
1919.....	59. 64	335, 241, 935	6. 33	3. 77
1920.....	57. 30	331, 102, 938	6. 52	3. 74
1921.....	56. 92	456, 482, 092	9. 02	5. 13
1922.....	59. 38	338, 805, 695	6. 37	3. 78
1923.....	62. 09	411, 881, 766	7. 30	4. 53
1924.....	64. 97	385, 129, 890	6. 37	4. 14
1925.....	66. 70	409, 645, 051	6. 52	4. 35
1926.....	69. 12	473, 603, 482	7. 32	5. 06

¹ Includes figures for lessors and operating railways without excluding duplications.

TABLE V.—*Reported property investment and certain income items, 1908–1926: Operating steam railways excluding switching and terminal companies*

Year ended—	Investment ¹	Investment per mile of road	Net railway operating income ²	Return on investment	Other income ³	Interest, rents, and other deductions ⁴	Dividends declared
June 30—				<i>Per ct.</i>			
1908—	\$13, 213, 766, 540	\$61, 778. 80	\$634, 794, 284	4. 80	\$246, 419, 662	\$485, 311, 472	\$329, 062, 261
1909—	13, 609, 183, 515	61, 391. 27	710, 474, 052	5. 22	175, 706, 091	498, 016, 028	272, 043, 499
1910 ⁵	14, 557, 816, 099	64, 382. 45	805, 097, 141	5. 53	222, 914, 561	511, 416, 980	351, 202, 272
1911—	15, 612, 378, 845	66, 515. 69	744, 669, 102	4. 77	276, 361, 692	529, 919, 727	403, 417, 363
1912—	16, 004, 744, 966	67, 397. 82	727, 458, 036	4. 55	221, 591, 272	549, 229, 407	347, 354, 133
1913—	16, 588, 603, 109	69, 780. 20	806, 800, 960	4. 86	243, 599, 221	564, 413, 747	327, 967, 396
1914—	17, 153, 785, 568	72, 078. 91	674, 189, 999	3. 93	246, 186, 804	576, 486, 952	380, 339, 400
1915—	17, 441, 420, 382	73, 207. 64	694, 276, 111	3. 98	189, 300, 358	575, 197, 902	264, 267, 107
1916—	17, 689, 425, 438	73, 794. 82	1, 002, 934, 791	5. 67	195, 457, 547	594, 378, 443	286, 618, 168
Dec. 31—							
1916—	17, 842, 776, 668	74, 465. 53	1, 058, 505, 501	5. 93	213, 324, 109	623, 179, 643	311, 876, 409
1917—	18, 574, 297, 873	77, 162. 81	950, 556, 850	5. 12	⁶ 233, 252, 283	⁶ 574, 200, 447	325, 600, 752
1918—	18, 984, 756, 478	78, 820. 34	646, 223, 098	3. 40	(⁷)	⁶ 667, 587, 844	279, 929, 286
1919—	19, 300, 120, 717	79, 974. 46	454, 132, 156	2. 35	(⁷)	⁶ 630, 558, 985	281, 569, 422
1920—	19, 849, 319, 946	81, 954. 15	12, 100, 759	. 06	(⁷)	⁶ 640, 515, 977	275, 348, 254
1921—	20, 329, 223, 603	84, 530. 49	601, 138, 916	2. 96	⁶ 375, 000, 544	⁶ 662, 375, 138	403, 990, 775
1922—	20, 580, 168, 269	86, 003. 64	769, 411, 093	3. 74	⁶ 265, 032, 855	⁶ 655, 646, 742	275, 721, 615
1923—	21, 372, 858, 161	89, 619. 12	974, 917, 715	4. 56	⁶ 260, 655, 476	⁶ 667, 615, 629	353, 126, 804
1924—	22, 182, 267, 385	93, 232. 69	984, 463, 481	4. 44	⁶ 269, 187, 830	⁶ 684, 558, 676	325, 983, 454
1925—	22, 736, 993, 054	95, 594. 35	1, 136, 728, 016	5. 00	⁶ 268, 142, 018	⁶ 688, 386, 995	349, 089, 172
1926—	⁸ 23, 878, 321, 585	97, 437. 19	1, 229, 000, 465	5. 15	⁶ 298, 126, 335	⁶ 701, 954, 032	411, 208, 013

¹ The figures shown for the years 1908 to 1925 inclusive include investment of leased lines and exclude investment of proprietary companies which do not render annual reports; notably the proprietary roads in the Baltimore and Ohio system. They include some duplications in the Atchison, Topeka and Santa Fe system. If these facts were taken into account, the total shown for 1919, as compiled in a special statement, would be increased to approximately \$19,565,646,081, not including the investment of switching and terminal companies, amounting to \$502,135,624. Beginning with 1926, the investment in road and equipment of proprietary companies is included. On a comparable basis, the investment for 1926 would be only \$661,112,667 greater than that for 1925. In this column no allowance is made for cash and material and supplies, and no deduction is made for depreciation.

² This term as defined in the interstate commerce act means "railway operating income, including in the computation thereof debits and credits arising from equipment rents and joint facility rents."

³ Includes amounts received as interest or dividends on railroad securities owned by reporting carriers. See Statistics of Railways, 1925, Statement No. 34.

⁴ These correspond approximately to what are commonly called "fixed charges."

⁵ Investment for 1910 originally published is increased by \$170,000,000, estimated reserve for accrued depreciation to make totals comparable with those for other years.

⁶ Does not include returns for Class II and Class III railways.

⁷ Reported figures not comparable with those for other years on account of Federal control accounting requirements.

⁸ See footnote 1 for increase, 1926 over 1925.

TABLE VI.—*Operating revenues, operating expenses, and taxes, 1908–1926*

Year ended—	Operating revenues	Operating expenses	Railway tax accruals	Ratio to revenues		
				Maintenance of way and structures	Maintenance of equipment	Total operating expenses
June 30—				<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>
1908 1	\$2, 440, 638, 832	\$1, 710, 401, 791	\$84, 599, 992	13. 50	15. 09	70. 08
1909 1	2, 473, 205, 301	1, 650, 034, 204	90, 585, 316	12. 47	14. 71	66. 72
1910 1	2, 812, 141, 575	1, 881, 879, 118	103, 853, 576	13. 10	14. 69	66. 92
1911 1	2, 852, 854, 721	1, 976, 331, 864	108, 309, 512	12. 83	15. 02	69. 28
1912 1	2, 906, 415, 869	2, 035, 057, 529	120, 091, 534	12. 64	15. 50	70. 02
1913 1	3, 208, 647, 370	2, 249, 277, 937	128, 024, 867	13. 25	16. 00	70. 10
1914 1	3, 126, 520, 234	2, 279, 408, 486	141, 225, 691	13. 55	17. 09	72. 91
1915 1	2, 956, 193, 202	2, 088, 682, 956	139, 298, 167	12. 91	17. 25	70. 65
1916 1	3, 472, 641, 941	2, 277, 202, 278	151, 599, 841	12. 14	16. 42	65. 58
Dec. 31—						
1916 1	3, 691, 065, 217	2, 426, 250, 521	163, 450, 852	11. 90	16. 50	65. 73
1917 1	4, 115, 413, 057	2, 906, 283, 165	220, 586, 491	11. 03	17. 11	70. 62
1917 2	4, 014, 142, 748	2, 829, 325, 124	215, 861, 346	11. 01	17. 08	70. 48
1918 2	³ 4, 880, 202, 255	⁴ 3, 971, 870, 043	224, 599, 115	13. 31	22. 55	81. 39
1919 2	5, 144, 466, 361	4, 378, 285, 227	233, 716, 608	15. 00	23. 79	85. 11
1920 2	6, 178, 120, 978	5, 830, 620, 492	283, 813, 929	16. 71	25. 74	94. 38
1921 2	5, 116, 598, 242	4, 562, 668, 302	277, 899, 481	13. 71	22. 69	82. 71
1922 2	5, 559, 092, 708	4, 414, 522, 334	302, 195, 425	13. 11	22. 53	79. 41
1923 2	6, 289, 580, 027	4, 895, 166, 819	333, 033, 560	12. 94	23. 29	77. 83
1924 2	5, 921, 496, 325	4, 507, 885, 037	342, 449, 048	13. 39	21. 28	76. 13
1925 2	6, 122, 509, 856	4, 536, 880, 291	360, 250, 671	13. 34	20. 58	74. 10
1926 2	6, 382, 939, 546	4, 669, 336, 736	391, 114, 381	13. 58	20. 10	73. 15

¹ Roads of Classes I, II, and III.

² Class I railways only.

³ Excludes corporate revenues of companies whose properties were under Federal control.

⁴ Excludes corporate expense of companies whose properties were under Federal control.

TABLE VII.—*Number and compensation of employees, 1908-1926*

Year ended—	Average number of employees during year	Compensation of railway employees ¹		
		Total	Ratio to revenues	Ratio to expenses
June 30—			<i>Per cent</i>	<i>Per cent</i>
1908 ²		\$1,035,437,528	42.42	60.54
1909 ²		988,323,694	39.96	59.90
1910 ²		1,143,725,306	40.67	60.78
1911 ²		1,208,466,470	42.36	61.15
1912 ²		1,252,347,697	43.00	61.54
1913 ²		1,381,334,368	43.05	61.41
1914 ²		1,381,117,292	44.17	60.59
1915 ²		1,242,319,254	42.02	59.48
1916 ²		1,403,968,437	40.43	61.65
Dec. 31—				
1916 ²		1,506,960,995	40.83	62.11
1917 ²		1,783,214,071	43.33	61.36
1917 ³	1,732,876	1,739,482,142	43.33	61.48
1918 ³	⁴ 1,837,663	⁴ 2,606,284,245	53.40	65.62
1919 ³	⁴ 1,908,169	⁴ 2,828,014,440	54.97	64.59
1920 ³	2,022,832	3,681,801,193	59.59	62.15
1921 ³	1,659,513	2,765,218,079	50.13	60.61
1922 ³	1,626,834	2,640,817,005	47.50	59.82
1923 ³	1,857,674	3,004,071,882	47.76	61.37
1924 ³	1,751,362	2,825,775,181	47.72	62.69
1925 ³	1,744,311	2,860,599,920	46.72	63.05
1926 ³	1,779,281	2,946,118,103	46.16	63.10

¹ In 1921, 93.65 per cent of the reported compensation was chargeable to operating expenses. In 1922 the corresponding percentage was 93.47; in 1923, 92.72 per cent; in 1924, 92.88 per cent; in 1925, 92.49 per cent; in 1926, 92.25 per cent. What part of the totals for earlier years was so chargeable is not known. The percentages shown, however, do not lose their comparative value on this account.

² Railways of Classes I, II, and III, excluding switching and terminal companies.

³ Class I railways only, excluding switching and terminal companies.

⁴ Data for 1918 and 1919 do not cover employees of corporate organizations whose properties were under Federal control.

TABLE VIII.—*Transportation service performed by steam railways, 1908-1926, excluding switching and terminal companies*

Year ended—	Freight service					Passenger service		
	Revenue tons originated	Revenue tons carried 1 mile	Loaded car-miles	Average haul		Passengers carried	Passenger-miles	Average journey per passenger
				United States as a system	For the individual road			
June 30—		<i>Millions</i>	<i>Millions</i>	<i>Miles</i>	<i>Miles</i>	<i>Millions</i>	<i>Millions</i>	<i>Miles</i>
1908	869,797,510	218,382	11,128	253.94	143.83	890	29,083	32.86
1909	881,334,355	218,803	11,361	251.10	141.87	891	29,109	32.85
1910	1,026,491,782	255,017	12,851	249.68	138.31	972	32,338	33.50
1911	1,003,053,893	253,784	12,859	254.10	142.88	997	33,202	33.48
1912	1,031,206,606	264,081	13,081	256.87	143.44	1,004	33,132	33.18
1913	1,182,547,672	301,730	14,292	255.15	144.40	1,044	34,673	33.31
1914	1,129,992,223	288,637	13,688	255.43	144.17	1,063	35,357	33.25
1915	1,023,802,680	277,135	13,111	270.69	151.55	986	32,475	32.95
1916	1,262,862,624	343,477	15,343	271.98	152.25	1,015	34,309	33.79
Dec. 31—								
1916	1,317,245,556	366,174	16,042	277.98	155.99	1,049	35,220	33.58
1917	1,382,004,576	398,263	16,088	288.18	162.33	1,110	40,100	36.13
1918	1,376,844,812	408,778	15,163	296.89	165.02	1,123	43,212	38.48
1919	1,189,765,193	367,161	14,433	308.60	168.02	1,214	46,838	38.68
1920	1,362,999,293	413,699	15,489	303.52	170.41	1,270	47,370	37.30
1921	1,017,817,596	309,533	12,591	304.11	171.12	1,061	37,706	35.53
1922	1,111,822,446	342,188	14,077	307.77	173.29	990	35,811	36.19
1923	1,387,754,966	416,256	16,532	299.94	166.29	1,009	38,294	37.97
1924	1,287,412,983	391,945	16,020	304.44	168.12	950	36,368	38.26
1925	1,351,155,239	417,418	17,001	308.93	169.43	902	36,167	40.10
1926	1,439,427,824	447,469	17,925	310.87	170.30	875	35,673	40.79

TABLE IX.—*Carload, trainload, and density of traffic, 1908-1926*

Year ended—	Tons per loaded freight car	Revenue tons per train	Passen- gers per car	Passen- gers per train	Revenue ton-miles per mile of road	Passen- ger-miles per mile of road
June 30—						
1908 ¹	19.62	352	16	54	974,654	130,073
1909 ¹	19.26	363	15	54	953,986	127,299
1910 ¹	19.84	380	16	56	1,071,086	138,169
1911 ¹	19.74	383	16	55	1,053,566	139,191
1912 ¹	20.18	407	15	53	1,078,580	136,699
1913 ²	21.11	445	15	55	1,245,158	143,067
1914 ²	21.09	452	15	56	1,176,923	144,278
1915 ²	21.15	474	15	53	1,121,059	131,165
1916 ²	22.40	535	15	55	1,380,349	137,818
Dec. 31—						
1916 ²	22.83	550	15	56	1,470,274	141,305
1916 ³	⁴ 24.98	560	16	57	1,569,084	149,795
1917 ³	⁴ 27.02	597	17	65	1,698,825	170,088
1918 ³	⁴ 29.30	628	20	76	1,738,305	183,066
1919 ³	⁴ 27.66	631	21	82	1,558,081	198,345
1920 ³	⁴ 29.13	647	20	80	1,748,451	199,708
1921 ³	⁴ 27.32	579	16	67	1,308,938	159,551
1922 ³	⁴ 26.65	611	16	65	1,444,840	151,410
1923 ³	⁴ 27.83	644	16	67	1,754,901	161,777
1924 ³	⁴ 26.88	647	15	63	1,649,318	153,618
1925 ³	⁴ 26.86	675	15	63	1,749,147	152,319
1926 ³	⁴ 27.35	701	14	61	1,875,265	149,927

¹ Class I, Class II, and Class III railways.³ Class I railways only.² Class I and Class II railways.⁴ Includes nonrevenue tonnage.TABLE X.—*Average receipts per ton, per ton-mile, per passenger, and per passenger-mile, 1908-1926*

Year ended—	Average amount received for each ton orig- inated	Revenue per ton- mile	Average receipts per passen- ger	Revenue per passen- ger-mile
June 30—		<i>Cents</i>		<i>Cents</i>
1908	\$1.903	0.754	\$0.634	1.937
1909	1.903	.763	.631	1.928
1910	1.876	.753	.646	1.938
1911	1.920	.757	.658	1.974
1912	1.909	.744	.657	1.987
1913	1.869	1.729	1.672	1.2.008
1914	1.881	.737	.662	1.990
1915	1.991	.735	.656	1.991
1916	1.955	.719	.679	2.010
Dec. 31—				
1916	1.997	.719	.689	2.051
1917	2.096	.728	.758	2.097
1918	2.558	.862	.932	2.421
1919	3.047	.987	.985	2.548
1920	3.243	1.069	1.027	2.755
1921	3.934	1.294	1.099	3.093
1922	3.675	1.194	1.099	3.037
1923	3.396	1.132	1.149	3.026
1924	3.447	1.132	1.142	2.985
1925	3.440	1.114	1.181	2.944
1926	3.408	1.096	1.200	2.941

¹ Class I and II railways.

TABLE XI.—*Fuel consumed by locomotives, and rails and ties laid, Class I steam railways, not including switching and terminal companies*

Year ended 1—	Bituminous coal	Anthracite coal	Fuel oil	Total fuel 2	Rails applied in replacement and betterment	Ties laid in previously constructed tracks	
						Cross ties	Switch and bridge ties
Dec. 31—	<i>Net tons</i>	<i>Net tons</i>	<i>Gallons</i>	<i>Net tons</i>	<i>Long tons</i>	<i>Number</i>	<i>Feet (b. m.)</i>
1917.....	133,421,457	5,293,301	1,804,889,338	150,230,647	2,046,575	79,070,201	208,526,311
1918.....	134,214,480	3,615,697	1,638,956,953	148,122,435	1,883,393	76,139,310	222,927,474
1919.....	119,692,667	2,981,959	1,586,061,174	132,620,935	2,335,300	80,963,216	248,440,195
1920.....	135,413,695	3,860,970	1,929,670,624	151,405,712	2,506,961	86,829,307	246,195,929
1921.....	107,910,146	2,643,724	1,661,443,618	121,006,242	2,588,313	86,521,566	256,287,730
1922.....	113,163,083	2,472,652	1,828,125,050	127,213,343	2,618,556	86,641,834	258,186,478
1923.....	131,491,561	2,414,576	2,334,365,782	148,921,714	3,138,972	84,434,985	277,615,107
1924.....	117,247,005	2,678,601	2,475,896,579	135,617,320	3,184,536	83,073,059	291,285,388
1925.....	117,714,426	2,174,143	2,457,826,755	135,419,983	3,484,641	82,716,674	282,629,608
1926.....	122,822,853	2,005,403	2,459,677,722	140,425,844	3,818,127	80,745,509	275,971,880

¹ Data not compiled prior to 1917.

² In the statement of consumption of fuel by locomotives, 1 cord of hardwood is considered as equivalent to two-thirds of a ton of fuel; and 1 cord of softwood as equivalent to one-half of a ton of fuel. The ratio used in reducing fuel oil to tons of fuel is left to the experience of each road. Figures include data for cordwood; also a small amount of miscellaneous fuel.

TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911–1926, by districts*

UNITED STATES

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation-rail line	
June 30—						
1911.....	\$2,752,497,297	\$1,902,994,333	\$348,004,080	\$415,590,400	\$954,349,616	\$724,184,708
1912.....	2,805,006,544	1,959,094,811	348,470,704	436,995,458	984,852,159	708,484,383
1913.....	3,108,361,215	2,173,463,563	406,042,529	499,988,331	1,068,017,845	787,610,435
1914.....	3,031,326,963	2,203,423,812	403,682,593	520,200,274	1,073,981,380	661,018,147
1915.....	2,871,563,047	2,021,160,614	364,004,178	496,739,561	1,002,740,734	683,104,833
1916.....	3,381,597,866	2,210,982,786	404,514,144	557,664,332	1,080,797,803	984,872,959
Dec. 31—						
1916.....	3,596,865,766	2,357,398,412	421,775,812	595,566,336	1,164,274,088	1,040,084,517
1917.....	4,014,142,748	2,829,325,123	442,109,862	685,428,913	1,506,544,964	934,068,770
1918.....	4,880,953,480	3,982,068,197	649,794,953	1,103,031,350	2,019,529,931	638,568,603
1919.....	5,144,795,154	4,399,715,515	772,186,045	1,226,532,195	2,157,057,982	454,984,953
1920.....	6,178,120,978	5,830,620,492	1,032,540,381	1,590,364,640	2,891,662,486	17,226,902
1921.....	5,516,598,242	4,562,668,302	756,413,690	1,251,479,443	2,252,090,903	600,937,356
1922.....	5,559,092,708	4,414,522,334	728,663,534	1,252,517,250	2,140,149,596	760,187,319
1923.....	6,289,580,027	4,895,166,819	813,688,760	1,465,156,595	2,309,608,766	961,955,457
1924.....	5,921,496,325	4,507,885,037	792,678,023	1,260,019,916	2,141,469,255	973,837,202
1925.....	6,122,509,856	4,536,880,291	816,443,205	1,259,819,276	2,128,471,218	1,121,076,341
1926.....	6,382,939,546	4,669,336,736	866,824,326	1,283,086,338	2,171,904,354	1,213,089,966

Freight service statistics

Year ended—	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$1,856,504,287	901,053,884	1,624,393,638	249,843,166	0.743	1,161,164
1912.....	1,897,692,838	926,465,041	1,684,994,748	259,981,628	.730	1,191,885
1913.....	2,140,083,394	1,067,798,112	1,915,001,926	297,722,528	.719	1,335,410
1914.....	2,059,891,935	1,023,131,101	1,843,216,056	284,924,750	.723	1,262,636
1915.....	1,977,933,275	925,696,847	1,684,659,517	273,913,007	.722	1,199,093
1916.....	2,402,210,995	1,151,187,321	2,093,092,757	339,870,323	.707	1,474,438
Dec. 31—						
1916.....	2,560,988,111	1,203,367,190	2,179,696,043	362,444,397	.707	1,569,084
1917.....	2,819,965,215	1,264,015,725	2,270,035,053	394,465,400	.715	1,698,822
1918.....	3,440,741,970	1,262,621,054	2,305,824,940	405,379,284	.849	1,738,305
1919.....	3,543,266,363	1,095,549,999	2,043,229,775	364,293,063	.573	1,558,081
1920.....	4,317,440,080	1,255,420,991	2,259,983,278	410,306,210	1.052	1,748,451
1921.....	3,911,277,268	940,182,560	1,690,762,695	306,840,204	1.275	1,308,938
1922.....	3,992,441,331	1,023,745,007	1,840,954,570	339,285,347	1.177	1,444,840
1923.....	4,606,720,192	1,279,030,222	2,333,600,764	412,727,228	1.116	1,754,901
1924.....	4,333,585,195	1,187,295,744	2,171,718,705	388,415,312	1.116	1,649,318
1925.....	4,541,646,040	1,247,241,615	2,304,274,746	413,814,261	1.097	1,749,147
1926.....	4,797,780,122	1,336,142,323	2,465,368,606	443,746,487	1.081	1,875,265

TABLE XII.—Selected data from annual reports of Class I steam railways, 1911-1926, by districts—Continued

UNITED STATES—Continued

Year ended—	Passenger service statistics						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$636,341,495	938,655,719	32,371,445	1.96	151,123	34.49	56
1912.....	639,818,627	944,265,173	32,316,263	1.98	149,442	34.22	55
1913.....	678,966,749	983,692,468	33,875,086	2.00	152,126	34.44	56
1914.....	683,748,602	1,002,350,385	34,566,985	1.98	153,369	34.49	57
1915.....	629,237,464	936,368,539	31,789,928	1.98	139,226	33.95	54
1916.....	673,806,175	968,887,957	33,645,908	2.00	146,029	34.73	56
Dec. 31—							
1916.....	706,608,630	1,005,954,777	34,585,952	2.04	149,795	34.38	57
1917.....	825,211,593	1,066,638,474	39,476,859	2.09	170,088	37.01	65
1918.....	1,031,563,016	1,084,997,896	42,676,579	2.41	183,066	39.33	76
1919.....	1,178,453,860	1,177,820,454	46,358,304	2.54	198,345	39.36	82
1920.....	1,286,613,273	1,234,862,048	46,848,668	2.75	199,708	37.94	80
1921.....	1,151,770,842	1,035,496,329	37,312,586	3.09	159,551	36.03	67
1922.....	1,074,108,060	967,409,205	35,469,962	3.03	151,410	36.66	65
1923.....	1,145,698,579	986,913,075	37,956,595	3.02	161,777	38.46	67
1924.....	1,075,039,219	932,678,462	36,090,886	2.98	153,618	38.70	63
1925.....	1,056,395,303	888,267,296	35,950,223	2.94	152,319	40.47	63
1926.....	1,041,816,167	862,361,333	35,477,525	2.94	149,931	41.13	61

Year ended—	Freight service statistics						
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road	
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>	
1911.....	608,678,284	392.64	12,666,136	5,718,739	19.73	153.81	
1912.....	594,658,218	417.63	12,890,515	5,655,789	20.17	154.29	
1913.....	628,319,136	453.39	14,102,776	6,025,620	21.11	155.47	
1914.....	590,833,907	460.40	13,507,268	6,426,178	21.09	154.58	
1915.....	537,804,830	483.74	12,952,289	6,572,981	21.15	162.59	
1916.....	594,124,091	545.10	15,170,608	6,839,846	22.40	162.38	
Dec. 31—							
1916.....	617,606,223	560.24	15,869,363	6,758,685	22.84	166.28	
1917.....	631,187,856	597.29	15,923,811	6,762,269	24.77	173.77	
1918.....	616,151,416	628.49	15,019,410	7,161,568	¹ 29.30	175.81	
1919.....	549,657,072	630.93	14,307,036	6,532,332	¹ 27.66	178.29	
1920.....	607,508,144	646.87	15,356,139	7,261,785	¹ 29.13	181.55	
1921.....	510,291,696	578.71	12,474,703	7,316,080	¹ 27.32	181.48	
1922.....	534,654,994	611.06	13,958,696	6,802,689	¹ 26.65	184.30	
1923.....	620,329,534	643.91	16,396,070	8,532,891	¹ 27.83	176.86	
1924.....	579,571,262	647.06	15,878,770	8,517,534	¹ 26.88	178.85	
1925.....	591,581,590	675.45	16,858,064	9,318,728	¹ 26.86	179.59	
1926.....	610,980,116	701.46	17,778,555	10,152,419	¹ 27.35	179.99	

¹ Includes nonrevenue tonnage.

TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911–1926, by districts—Continued*

EASTERN DISTRICT

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation—rail line	
June 30—						
1911.....	\$1, 213, 660, 256	\$863, 211, 897	\$145, 164, 499	\$193, 859, 070	\$438, 903, 996	\$290, 640, 214
1912.....	1, 252, 347, 003	889, 976, 127	145, 519, 876	206, 962, 257	451, 394, 036	296, 349, 077
1913.....	1, 384, 956, 152	998, 950, 347	175, 486, 884	238, 499, 228	492, 807, 975	314, 494, 142
1914.....	1, 333, 539, 193	1, 020, 801, 658	174, 319, 820	249, 616, 624	502, 389, 521	234, 801, 111
1915.....	1, 275, 028, 603	923, 568, 892	153, 385, 132	234, 987, 859	468, 418, 755	272, 733, 945
1916.....	1, 537, 081, 507	1, 024, 738, 557	168, 575, 830	265, 861, 739	519, 758, 208	420, 545, 856
Dec. 31—						
1916.....	1, 621, 550, 829	1, 102, 248, 864	174, 989, 760	285, 093, 013	566, 639, 759	416, 767, 825
1917.....	1, 785, 312, 427	1, 338, 467, 004	184, 405, 875	328, 316, 047	740, 321, 891	323, 836, 732
1918.....	2, 206, 636, 283	1, 892, 301, 120	284, 163, 203	533, 204, 691	980, 415, 194	191, 716, 754
1919.....	2, 282, 088, 271	2, 023, 222, 179	312, 422, 503	591, 241, 108	1, 010, 098, 154	135, 326, 720
1920.....	2, 747, 383, 278	2, 730, 072, 193	415, 294, 185	785, 012, 264	1, 390, 768, 928	¹ 124, 232, 269
1921.....	2, 460, 790, 651	2, 082, 583, 902	308, 345, 844	600, 572, 745	1, 042, 363, 773	230, 095, 884
1922.....	2, 516, 678, 522	2, 059, 858, 442	303, 843, 539	618, 616, 562	1, 009, 128, 884	291, 852, 685
1923.....	2, 942, 418, 971	2, 330, 521, 041	347, 357, 451	735, 015, 792	1, 115, 479, 364	417, 549, 658
1924.....	2, 665, 770, 837	2, 068, 795, 995	326, 063, 800	598, 430, 726	1, 009, 509, 807	407, 467, 686
1925.....	2, 754, 442, 552	2, 084, 325, 325	347, 414, 385	603, 356, 347	991, 512, 372	474, 902, 031
1926.....	2, 898, 986, 223	2, 167, 706, 304	368, 341, 996	620, 639, 849	1, 027, 563, 107	514, 945, 061

Year ended—	Freight service statistics					
	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$823, 077, 681	(²)	989, 772, 476	129, 096, 321	0. 638	2, 272, 565
1912.....	852, 060, 603	(²)	1, 032, 434, 040	133, 425, 498	. 638	2, 326, 286
1913.....	959, 046, 954	(²)	1, 171, 788, 577	152, 756, 350	. 628	2, 626, 710
1914.....	905, 278, 775	502, 711, 850	1, 105, 436, 517	143, 115, 921	. 633	2, 443, 140
1915.....	876, 627, 161	454, 833, 379	1, 003, 358, 320	135, 642, 899	. 646	2, 303, 011
1916.....	1, 095, 655, 761	577, 310, 511	1, 262, 238, 041	169, 263, 168	. 647	2, 869, 020
Dec. 31—						
1916.....	1, 146, 977, 398	590, 301, 231	1, 283, 710, 688	177, 487, 341	. 646	3, 004, 747
1917.....	1, 246, 849, 850	617, 844, 385	1, 302, 098, 157	187, 966, 031	. 663	3, 178, 653
1918.....	1, 552, 957, 602	614, 703, 873	1, 317, 918, 088	190, 942, 938	. 813	3, 229, 876
1919.....	1, 555, 729, 754	524, 148, 548	1, 156, 703, 060	170, 117, 616	. 914	2, 866, 157
1920.....	1, 922, 764, 331	606, 786, 167	1, 253, 468, 027	188, 517, 900	1. 020	3, 170, 258
1921.....	1, 722, 187, 847	449, 674, 156	934, 693, 849	138, 502, 605	1. 243	2, 354, 467
1922.....	1, 772, 597, 986	452, 237, 737	975, 691, 067	151, 209, 900	1. 172	2, 571, 943
1923.....	2, 141, 751, 647	597, 891, 855	1, 295, 112, 410	193, 987, 685	1. 104	3, 289, 637
1924.....	1, 908, 378, 804	519, 595, 258	1, 146, 944, 903	170, 039, 430	1. 122	2, 879, 748
1925.....	1, 987, 804, 252	531, 308, 379	1, 208, 295, 760	179, 483, 666	1. 107	3, 036, 805
1926.....	2, 120, 300, 955	580, 200, 227	1, 309, 241, 621	193, 717, 411	1. 094	3, 284, 052

¹ Deficit.² Not separated by districts.

TABLE XII.—Selected data from annual reports of Class I steam railways, 1911–1926, by districts—Continued

EASTERN DISTRICT—Continued

Year ended—	Passenger service statistics						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$269,625,574	573,249,088	15,161,685	1.78	270,823	26.45	62
1912.....	274,724,616	583,326,936	15,401,754	1.78	277,008	26.40	63
1913.....	288,926,444	605,179,693	16,087,159	1.80	277,480	26.58	64
1914.....	293,418,549	608,647,324	16,348,655	1.79	279,975	26.86	65
1915.....	276,542,596	571,964,445	14,960,949	1.85	254,447	26.16	62
1916.....	296,064,736	592,397,103	15,628,070	1.89	265,355	26.38	64
Dec. 31—							
1916.....	316,122,645	625,543,403	16,627,330	1.90	281,977	26.58	66
1917.....	357,307,045	660,780,166	18,408,280	1.94	311,836	27.86	75
1918.....	446,013,822	673,703,126	19,516,673	2.28	330,597	28.97	89
1919.....	512,372,905	731,335,826	21,471,099	2.38	362,254	29.36	93
1920.....	563,867,573	777,820,717	21,927,088	2.57	369,258	28.19	93
1921.....	537,877,927	673,170,252	18,723,437	2.87	321,342	27.81	82
1922.....	513,958,566	637,134,609	18,083,029	2.84	310,543	28.38	80
1923.....	546,821,748	655,225,051	19,221,806	2.84	329,106	29.34	83
1924.....	523,475,454	629,938,820	18,567,323	2.82	317,472	29.47	79
1925.....	520,011,019	616,313,402	18,583,979	2.80	317,447	30.15	79
1926.....	523,474,791	608,364,585	18,761,993	2.79	318,068	30.84	78

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	272,200,400	464.87	5,906,670	2,847,313	21.86	130.43
1912.....	265,255,675	492.57	6,030,012	2,797,014	22.13	129.33
1913.....	278,453,083	537.67	6,546,516	2,949,449	23.33	130.36
1914.....	257,418,781	544.30	6,134,262	3,085,077	23.33	129.47
1915.....	229,766,592	578.06	5,798,668	3,186,404	23.39	135.19
1916.....	257,522,644	644.89	6,877,179	3,284,945	24.61	134.10
Dec. 31—						
1916.....	264,676,081	658.34	7,070,991	3,230,603	25.10	138.26
1917.....	258,953,016	713.10	6,846,178	3,045,676	27.46	144.36
1918.....	248,909,032	753.81	6,400,881	3,195,407	¹ 31.50	144.88
1919.....	216,416,492	770.43	5,994,491	2,825,948	¹ 30.01	147.07
1920.....	232,981,766	795.20	6,348,174	3,038,378	¹ 31.49	150.40
1921.....	197,813,624	689.32	5,133,557	3,092,037	¹ 29.05	148.18
1922.....	206,650,647	719.95	5,765,642	2,783,427	¹ 27.92	154.98
1923.....	246,812,187	775.60	6,924,153	3,551,844	¹ 30.07	149.78
1924.....	223,452,378	749.18	6,421,637	3,467,991	¹ 28.41	148.25
1925.....	227,772,074	774.94	6,774,060	3,743,179	¹ 28.36	148.54
1926.....	239,822,501	794.54	7,207,969	4,091,032	¹ 28.83	147.96

¹Includes nonrevenue tonnage.

TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911-1926, by districts—Continued*

SOUTHERN DISTRICT

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation-rail line	
June 30—						
1911-----	\$408,901,908	\$280,756,740	\$54,062,565	\$69,301,714	\$133,611,870	\$114,199,452
1912-----	425,845,379	303,592,880	56,218,738	76,119,886	146,221,249	106,566,938
1913-----	457,506,184	329,560,462	63,453,879	82,350,338	157,136,115	112,657,603
1914-----	469,470,064	341,840,064	62,156,224	88,495,869	162,513,910	109,278,435
1915-----	420,281,653	307,184,073	58,221,440	79,939,649	145,365,865	94,806,327
1916-----	489,710,775	324,780,730	60,459,359	90,526,721	148,423,205	147,402,963
Dec. 31—						
1916-----	523,035,795	340,077,502	64,261,937	93,631,184	155,532,291	167,267,028
1917-----	606,199,654	412,435,394	68,483,509	109,655,609	205,805,801	170,862,303
1918-----	784,808,766	610,267,232	99,160,843	175,372,440	305,766,271	139,328,194
1919-----	806,025,508	704,037,651	134,084,717	197,145,971	337,652,879	64,302,833
1920-----	976,831,242	912,707,181	166,683,197	250,225,301	448,753,361	32,592,163
1921-----	877,202,297	740,223,950	132,096,185	197,868,408	363,743,974	92,366,577
1922-----	915,300,678	708,694,116	123,224,838	201,698,927	337,425,418	150,622,446
1923-----	1,037,777,223	800,620,007	143,534,069	235,727,661	371,647,149	177,341,087
1924-----	1,024,517,353	767,633,858	146,252,360	218,590,970	352,154,500	194,970,749
1925-----	1,106,737,711	793,329,057	155,717,698	220,783,448	362,238,818	238,830,674
1926-----	1,165,527,504	830,125,436	167,397,162	227,861,847	377,128,195	253,499,238
Freight service statistics						
Year ended—	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911-----	\$286,490,996	(1)	219,814,050	41,281,206	0.694	1,017,007
1912-----	298,902,770	(1)	228,865,650	43,667,931	.684	1,058,531
1913-----	323,299,148	(1)	248,738,041	47,979,202	.674	1,153,407
1914-----	330,770,930	174,319,180	256,515,825	49,523,945	.668	1,179,244
1915-----	302,538,187	154,482,371	231,971,297	47,324,536	.639	1,123,817
1916-----	361,873,595	187,728,372	282,182,453	58,450,832	.619	1,371,626
Dec. 31—						
1916-----	383,529,984	196,392,311	298,062,627	61,706,334	.622	1,444,725
1917-----	434,395,400	211,474,636	326,115,240	68,371,303	.635	1,599,356
1918-----	544,591,331	216,081,819	341,294,737	72,101,218	.755	1,672,592
1919-----	558,527,462	194,564,103	306,279,213	63,999,814	.873	1,476,892
1920-----	700,005,819	224,127,173	348,532,794	76,925,389	.909	1,758,760
1921-----	644,162,943	177,258,034	266,412,995	59,679,500	1.079	1,361,926
1922-----	688,326,095	208,588,604	314,370,114	69,564,942	.989	1,589,208
1923-----	783,287,866	249,638,257	381,375,875	81,705,350	.959	1,862,332
1924-----	780,744,790	252,887,991	382,711,800	82,350,493	.948	1,880,306
1925-----	851,637,550	281,715,364	423,768,921	91,934,000	.926	2,086,464
1926-----	913,966,077	310,578,446	461,263,390	101,426,273	.901	2,281,806

¹Not separated by districts.

TABLE XII.—Selected data from annual reports of Class I steam railways, 1911-1926, by districts—Continued

SOUTHERN DISTRICT—Continued

Year ended—	Passenger service statistics						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$87,485,143	111,915,318	4,072,229	2.15	100,296	36.39	46
1912.....	91,280,694	115,024,664	4,221,416	2.16	102,419	36.70	46
1913.....	95,842,224	118,499,176	4,384,240	2.19	105,396	37.00	47
1914.....	99,254,393	121,873,344	4,585,239	2.17	109,182	37.62	47
1915.....	85,416,332	107,897,309	3,988,171	2.14	94,707	36.96	43
1916.....	90,992,351	114,764,764	4,115,760	2.21	96,582	35.86	44
Dec. 31—							
1916.....	98,385,580	118,823,820	4,573,888	2.15	107,088	38.49	48
1917.....	126,924,456	130,951,555	5,776,736	2.20	135,131	44.11	60
1918.....	188,932,168	145,489,852	7,404,952	2.55	171,779	50.90	77
1919.....	192,624,326	149,077,477	7,099,101	2.71	163,822	47.62	73
1920.....	196,654,660	150,917,730	6,617,867	2.97	151,306	43.85	67
1921.....	172,109,868	118,983,920	5,085,120	3.39	116,046	42.74	54
1922.....	163,173,370	111,258,242	4,855,660	3.36	110,927	43.64	52
1923.....	183,751,006	114,929,647	5,449,950	3.37	124,222	47.42	56
1924.....	172,407,464	104,266,615	5,153,188	3.35	117,663	49.42	52
1925.....	180,735,461	94,785,225	5,412,801	3.34	122,845	57.11	52
1926.....	173,755,511	88,671,570	5,186,528	3.35	116,695	58.49	50

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	113,354,640	346.38	2,084,129	979,126	19.81	187.80
1912.....	113,557,900	367.13	2,150,819	989,427	20.30	190.80
1913.....	116,599,149	394.48	2,305,030	1,010,480	20.82	192.89
1914.....	116,699,422	408.24	2,330,028	1,175,302	21.25	193.06
1915.....	100,624,143	448.50	2,172,440	1,155,945	21.78	204.01
1916.....	105,627,557	527.62	2,533,467	1,192,331	23.07	207.14
Dec. 31—						
1916.....	108,372,204	543.84	2,622,821	1,170,957	23.53	207.02
1917.....	115,675,895	566.21	2,704,594	1,241,017	25.28	209.65
1918.....	120,761,237	573.71	2,666,948	1,347,911	¹ 29.43	211.26
1919.....	101,359,788	602.41	2,450,584	1,142,124	¹ 28.45	208.96
1920.....	119,489,118	619.71	2,754,569	1,373,045	¹ 30.31	220.71
1921.....	100,975,009	572.34	2,267,572	1,373,697	¹ 29.03	224.01
1922.....	109,808,041	614.89	2,623,057	1,377,284	¹ 28.88	221.28
1923.....	126,516,430	628.85	3,053,375	1,634,422	¹ 29.47	214.24
1924.....	123,623,101	648.02	3,069,640	1,736,884	¹ 29.22	215.18
1925.....	131,620,622	680.17	3,370,641	1,995,729	¹ 29.71	216.94
1926.....	135,916,269	727.37	3,561,374	2,213,736	¹ 31.08	213.89

¹ Includes nonrevenue tonnage.

TABLE XII.—*Selected data from annual reports of Class I steam railways, 1911-1926, by districts—Continued*

WESTERN DISTRICT

Year ended—	Operating revenues	Operating expenses				Net railway operating income
		Total	Maintenance of way and structures	Maintenance of equipment	Transportation-rail line	
June 30—						
1911.....	\$1,129,935,133	\$759,025,696	\$148,777,016	\$152,429,616	\$381,833,750	\$319,345,042
1912.....	1,126,814,162	765,525,804	146,732,090	153,913,315	387,236,874	305,568,368
1913.....	1,265,898,879	844,952,754	167,102,266	179,138,765	418,073,755	360,458,690
1914.....	1,228,317,706	840,782,090	167,206,549	182,087,781	409,077,949	316,938,601
1915.....	1,176,252,791	790,407,649	152,397,606	181,812,053	388,956,114	315,564,561
1916.....	1,354,805,584	861,373,499	175,478,955	201,275,872	412,616,390	416,924,135
Dec. 31—						
1916.....	1,452,279,142	915,072,046	182,524,115	216,842,139	442,102,038	456,049,664
1917.....	1,622,630,667	1,078,422,725	189,220,478	247,457,257	560,417,272	439,369,735
1918.....	1,889,508,431	1,479,499,845	266,470,907	394,454,219	733,348,466	307,523,655
1919.....	2,056,681,375	1,672,455,685	325,678,825	438,145,116	809,306,949	255,355,400
1920.....	2,453,906,458	2,187,841,118	450,562,999	555,127,075	1,052,200,197	108,867,008
1921.....	2,178,605,294	1,739,860,450	315,971,661	453,038,290	845,983,156	278,474,895
1922.....	2,127,113,508	1,645,969,776	301,595,157	432,201,761	793,595,294	317,712,188
1923.....	2,309,383,833	1,764,025,771	322,797,240	494,413,142	822,482,253	367,064,712
1924.....	2,231,208,135	1,671,455,184	320,361,854	442,998,220	779,804,948	371,398,767
1925.....	2,261,329,593	1,659,225,909	313,311,122	435,695,481	774,720,028	407,343,636
1926.....	2,318,425,819	1,671,504,996	331,085,168	434,584,642	767,213,052	444,645,667

Year ended—	Freight service statistics					
	Freight revenue	Revenue tons originated	Total revenue tons carried	Revenue tons carried 1 mile	Revenue per ton-mile	Revenue ton-miles per mile of road
June 30—				<i>Thousands</i>	<i>Cents</i>	
1911.....	\$746,935,610	(1)	414,807,112	79,465,639	0.939	675,601
1912.....	746,729,465	(1)	423,695,058	82,888,199	.900	694,384
1913.....	857,737,292	(1)	494,475,308	96,986,976	.884	788,265
1914.....	823,842,230	346,100,071	481,263,714	92,284,884	.892	738,714
1915.....	798,767,927	316,381,097	449,329,900	90,945,572	.878	713,718
1916.....	944,681,639	386,148,438	548,672,263	112,156,323	.842	871,122
Dec. 31—						
1916.....	1,030,480,729	416,673,648	597,922,728	123,250,722	.836	953,874
1917.....	1,138,719,965	434,696,704	641,821,656	138,128,066	.824	1,059,948
1918.....	1,343,193,037	431,835,362	646,612,115	142,335,128	.944	1,086,706
1919.....	1,429,009,087	376,837,348	580,247,502	130,175,633	1.098	992,791
1920.....	1,694,669,930	424,507,651	657,982,457	144,862,930	1.170	1,101,909
1921.....	1,544,926,478	313,250,370	489,655,851	108,658,099	1.422	824,580
1922.....	1,531,517,250	362,918,666	550,893,389	118,510,505	1.292	896,042
1923.....	1,681,680,679	431,500,110	657,112,479	137,034,193	1.227	1,035,443
1924.....	1,644,461,601	414,812,495	642,062,002	136,025,389	1.208	1,025,387
1925.....	1,702,204,238	434,217,872	672,210,065	142,396,595	1.195	1,067,315
1926.....	1,763,513,090	445,363,650	694,863,595	148,602,803	1.187	1,115,686

¹ Not separated by districts.

TABLE XII.—Selected data from annual reports of Class I steam railways, 1911–1926, by districts—Continued

WESTERN DISTRICT—Continued

Year ended—	Passenger service statistics						
	Passenger revenue	Passengers carried	Passenger-miles	Revenue per passenger-mile	Passenger-miles per mile of road	Average journey per passenger	Passengers per train
June 30—			<i>Thousands</i>	<i>Cents</i>		<i>Miles</i>	
1911.....	\$279, 230, 778	253, 491, 313	13, 137, 531	2. 12	111, 695	51. 82	54
1912.....	273, 813, 317	245, 913, 573	12, 693, 093	2. 15	106, 337	51. 62	51
1913.....	294, 198, 081	260, 013, 599	13, 403, 687	2. 19	108, 939	51. 55	52
1914.....	291, 075, 660	271, 829, 717	13, 633, 091	2. 13	109, 129	50. 15	52
1915.....	267, 278, 536	256, 506, 785	12, 840, 808	2. 08	100, 771	50. 06	51
1916.....	286, 749, 088	261, 726, 090	13, 902, 078	2. 06	107, 854	53. 12	53
Dec. 31—							
1916.....	292, 100, 405	261, 587, 554	13, 384, 734	2. 18	103, 588	51. 17	51
1917.....	340, 980, 092	274, 906, 753	15, 291, 843	2. 23	117, 344	55. 63	58
1918.....	396, 617, 026	265, 804, 918	15, 754, 954	2. 52	120, 287	59. 27	65
1919.....	473, 456, 629	297, 407, 151	17, 788, 104	2. 66	135, 662	59. 81	74
1920.....	526, 091, 040	306, 123, 601	18, 303, 713	2. 87	139, 228	59. 79	72
1921.....	441, 783, 047	243, 342, 157	13, 504, 029	3. 27	102, 479	55. 49	57
1922.....	396, 976, 124	219, 016, 354	12, 531, 273	3. 17	94, 747	57. 22	55
1923.....	415, 125, 825	216, 758, 377	13, 284, 839	3. 13	100, 382	61. 29	56
1924.....	379, 156, 301	198, 473, 027	12, 370, 375	3. 07	93, 250	62. 33	52
1925.....	355, 648, 823	177, 168, 669	11, 953, 443	2. 98	89, 595	67. 47	51
1926.....	344, 585, 865	165, 325, 178	11, 529, 004	2. 99	86, 558	69. 74	49

Year ended—	Freight service statistics					
	Freight train-miles	Revenue tons per train	Loaded car-miles	Empty car-miles	Tons per loaded car	Average haul per road
June 30—			<i>Thousands</i>	<i>Thousands</i>		<i>Miles</i>
1911.....	223, 123, 244	332. 08	4, 675, 337	1, 892, 300	17. 00	191. 57
1912.....	215, 844, 643	356. 41	4, 709, 684	1, 869, 348	17. 60	195. 63
1913.....	233, 266, 904	386. 74	5, 251, 230	2, 065, 691	18. 47	196. 14
1914.....	216, 715, 704	393. 57	5, 042, 978	2, 165, 799	18. 30	191. 76
1915.....	207, 414, 095	402. 28	4, 981, 181	2, 230, 632	18. 26	202. 40
1916.....	230, 973, 890	448. 17	5, 759, 962	2, 362, 570	19. 47	204. 41
Dec. 31—						
1916.....	244, 557, 938	467. 07	6, 175, 551	2, 357, 125	19. 96	206. 13
1917.....	256, 558, 945	500. 30	6, 373, 039	2, 475, 516	21. 67	215. 21
1918.....	246, 481, 147	535. 04	5, 951, 581	2, 618, 250	1 26. 86	220. 12
1919.....	231, 880, 792	519. 99	5, 861, 961	2, 564, 260	1 24. 92	224. 35
1920.....	255, 037, 260	530. 45	6, 253, 396	2, 850, 362	1 26. 21	220. 16
1921.....	211, 503, 063	482. 89	5, 073, 574	2, 850, 346	1 24. 82	221. 91
1922.....	218, 196, 306	510. 65	5, 569, 997	2, 641, 978	1 24. 28	215. 12
1923.....	247, 000, 917	525. 19	6, 418, 542	3, 346, 625	1 24. 63	208. 54
1924.....	232, 495, 783	552. 43	6, 387, 493	3, 312, 659	1 24. 22	211. 86
1925.....	232, 188, 894	579. 13	6, 713, 363	3, 579, 820	1 23. 91	211. 83
1926.....	235, 241, 346	595. 97	7, 009, 212	3, 847, 651	1 23. 94	213. 86

¹ Includes nonrevenue tonnage.

B. STATISTICS FROM MONTHLY AND OTHER PERIODICAL REPORTS OF CARRIERS

The figures in this section are derived from monthly or quarterly reports of certain classes of carriers, and yearly totals, for various reasons mostly evident from table headings and footnotes, may not be in exact agreement with totals of similar character in Section A, which come from other sources.

TABLE A.—*Railway operating revenues, railway operating expenses, and net railway operating income, 1922–1927, Class I steam railways, including switching and terminal companies*

Item	1927	1926	1925	1924	1923	1922
Miles of road operated.....	238, 728. 76	237, 103. 74	236, 633. 85	236, 279. 26	235, 825. 26	235, 591. 98

RAILWAY OPERATING REVENUES

January.....	\$487, 004, 336	\$481, 418, 191	\$485, 018, 679	\$468, 986, 207	\$502, 541, 899	\$395, 777, 433
February.....	468, 994, 434	460, 845, 966	455, 185, 486	479, 453, 967	446, 948, 870	401, 576, 772
March.....	531, 056, 378	531, 464, 116	486, 667, 863	505, 371, 387	535, 826, 390	475, 246, 724
April.....	498, 427, 870	500, 489, 191	473, 691, 854	475, 232, 145	523, 303, 671	417, 140, 348
May.....	518, 568, 951	518, 042, 257	488, 962, 071	477, 528, 664	548, 112, 916	449, 442, 968
June.....	517, 028, 876	541, 447, 283	507, 021, 059	465, 669, 829	541, 328, 832	474, 034, 095
July.....	509, 379, 880	557, 895, 179	522, 484, 181	481, 826, 030	536, 307, 145	443, 840, 164
August.....	557, 436, 011	580, 257, 259	555, 493, 700	508, 505, 818	564, 528, 891	474, 087, 182
September.....	.....	589, 960, 592	565, 568, 308	541, 046, 827	546, 061, 710	500, 882, 771
October.....	.....	609, 044, 576	591, 532, 889	572, 872, 494	587, 914, 150	550, 280, 123
November.....	.....	561, 033, 525	532, 985, 367	505, 889, 207	531, 988, 659	523, 607, 879
December.....	.....	526, 486, 080	524, 130, 395	505, 176, 444	494, 614, 715	513, 564, 071
12 months.....	.....	¹ 6, 448, 566, 589	¹ 6, 186, 603, 519	¹ 5, 987, 662, 226	¹ 6, 360, 423, 213	¹ 5, 620, 401, 722

RAILWAY OPERATING EXPENSES

January.....	\$387, 489, 362	\$378, 933, 308	\$383, 961, 979	\$385, 092, 005	\$408, 977, 516	\$337, 632, 090
February.....	361, 472, 855	361, 003, 662	355, 685, 829	374, 916, 106	376, 006, 623	324, 571, 547
March.....	395, 423, 298	397, 132, 363	377, 400, 851	390, 601, 930	417, 926, 988	361, 163, 179
April.....	384, 667, 988	385, 783, 022	370, 777, 262	377, 826, 934	404, 148, 050	336, 425, 035
May.....	390, 786, 519	389, 145, 040	375, 999, 428	381, 485, 741	421, 389, 901	355, 508, 552
June.....	388, 024, 843	391, 419, 365	376, 064, 312	364, 228, 757	416, 748, 290	364, 278, 517
July.....	383, 716, 672	396, 357, 688	382, 924, 789	370, 100, 487	414, 945, 704	341, 081, 191
August.....	393, 294, 248	400, 423, 302	388, 898, 352	373, 671, 183	427, 453, 221	387, 370, 353
September.....	.....	397, 860, 335	388, 110, 176	381, 791, 849	416, 665, 241	408, 912, 930
October.....	.....	414, 902, 372	410, 446, 695	404, 038, 275	445, 340, 570	429, 077, 737
November.....	.....	402, 673, 365	384, 549, 534	374, 410, 338	406, 956, 602	405, 844, 514
December.....	.....	407, 301, 895	389, 599, 309	381, 474, 784	388, 154, 013	405, 033, 227
12 months.....	.....	¹ 4, 715, 021, 878	¹ 4, 582, 241, 785	¹ 4, 559, 794, 409	¹ 4, 945, 135, 398	¹ 4, 457, 622, 473

MAINTENANCE OF WAY AND STRUCTURES

January.....	\$59, 857, 245	\$58, 873, 070	\$56, 967, 451	\$55, 332, 831	\$52, 885, 419	\$48, 714, 722
February.....	58, 669, 436	58, 893, 321	55, 011, 942	54, 419, 439	48, 418, 007	46, 600, 099
March.....	68, 548, 110	66, 806, 288	61, 052, 110	59, 603, 843	57, 225, 907	53, 276, 591
April.....	75, 832, 907	72, 013, 659	68, 140, 897	68, 036, 804	65, 274, 165	59, 211, 633
May.....	80, 519, 830	77, 054, 106	72, 514, 854	73, 788, 172	74, 647, 956	68, 074, 408
June.....	81, 636, 940	80, 195, 595	74, 728, 875	71, 478, 577	77, 220, 208	70, 465, 977
July.....	79, 499, 953	80, 606, 850	75, 035, 380	73, 192, 532	76, 556, 558	65, 616, 403
August.....	80, 229, 224	81, 489, 169	77, 503, 539	73, 026, 188	80, 835, 583	68, 743, 033
September.....	.....	78, 532, 688	76, 743, 783	72, 883, 295	76, 687, 125	67, 717, 310
October.....	.....	79, 341, 689	77, 181, 285	75, 537, 116	81, 638, 412	68, 957, 794
November.....	.....	72, 722, 556	66, 323, 178	65, 740, 125	68, 678, 359	61, 705, 004
December.....	.....	69, 857, 151	63, 771, 958	59, 566, 639	61, 780, 042	56, 937, 745
12 months.....	.....	¹ 874, 244, 048	¹ 824, 320, 083	¹ 802, 672, 810	¹ 821, 912, 978	¹ 736, 181, 212

¹ Includes certain corrections not appearing in monthly figures.

TABLE A.—*Railway operating revenues, railway operating expenses, and net railway operating income, 1922-1927, etc.*—Continued

MAINTENANCE OF EQUIPMENT

	1927	1926	1925	1924	1923	1922
January.....	\$106,120,275	\$105,464,167	\$108,457,911	\$110,322,360	\$123,031,713	\$93,636,110
February.....	99,038,864	101,002,458	101,513,614	107,006,053	112,125,967	91,948,480
March.....	109,232,712	113,090,763	108,959,835	113,306,273	126,248,629	106,195,148
April.....	102,622,245	108,639,919	104,688,524	107,510,647	119,742,105	96,074,779
May.....	102,119,909	107,005,052	103,447,684	104,911,270	125,687,122	100,876,316
June.....	102,079,341	106,462,061	103,159,577	99,222,857	124,460,548	102,426,771
July.....	100,329,206	106,813,693	105,258,040	99,470,797	121,902,373	78,693,449
August.....	102,890,100	108,071,440	105,499,971	101,552,114	127,645,093	104,154,917
September.....	.....	107,187,525	104,479,671	105,043,443	125,040,683	120,010,849
October.....	.....	111,548,396	110,462,734	113,273,572	133,706,111	130,485,765
November.....	.....	108,786,242	104,622,202	102,957,000	120,640,069	118,405,794
December.....	.....	109,416,850	108,605,809	106,132,270	113,318,428	116,994,179
12 months.....	.....	¹ 1,291,919,172	¹ 1,268,863,685	¹ 1,270,717,504	¹ 1,473,564,764	¹ 1,259,996,915

TRANSPORTATION EXPENSES

	1927	1926	1925	1924	1923	1922
January.....	\$191,541,180	\$186,901,559	\$191,886,193	\$193,820,792	\$208,485,557	\$171,296,092
February.....	175,398,176	173,865,620	173,749,658	188,782,705	192,098,865	163,491,812
March.....	188,144,149	188,880,663	181,068,374	192,201,137	209,893,318	177,679,827
April.....	176,804,023	176,797,509	171,738,275	177,595,365	195,125,461	157,784,242
May.....	178,394,916	176,846,345	173,436,739	177,219,035	196,436,637	162,918,019
June.....	174,434,714	175,801,658	170,639,621	167,863,910	189,751,818	167,035,236
July.....	174,302,763	180,204,315	175,229,948	171,482,746	191,571,164	172,755,915
August.....	180,821,393	182,338,051	178,979,461	173,795,746	194,122,539	190,922,853
September.....	.....	183,888,597	180,101,830	178,461,428	189,915,227	197,902,477
October.....	.....	195,552,314	193,672,962	189,443,364	204,386,676	205,920,283
November.....	.....	193,127,698	186,398,140	180,605,457	192,856,779	202,107,227
December.....	.....	198,627,476	189,283,873	189,990,170	187,042,543	205,821,569
12 months.....	.....	¹ 2,209,245,908	¹ 2,165,181,535	¹ 2,181,295,655	¹ 2,352,021,895	¹ 2,176,016,900

NET RAILWAY OPERATING INCOME ²

(Italics indicate loss)

	1927	1926	1925	1924	1923	1922
January.....	\$61,578,695	\$65,761,276	\$66,060,177	\$51,387,222	\$61,128,977	\$29,631,626
February.....	70,045,385	63,421,109	65,151,052	71,605,150	39,274,897	47,701,740
March.....	94,948,234	94,657,588	73,375,267	80,320,046	84,124,311	83,483,103
April.....	73,627,153	75,881,706	65,465,322	62,298,528	83,515,322	49,973,793
May.....	85,664,024	88,129,798	76,154,267	60,929,532	90,320,873	62,147,010
June.....	87,363,546	107,393,658	92,148,573	65,801,266	88,272,720	76,270,672
July.....	84,383,392	116,974,565	99,668,612	74,368,186	84,935,306	69,320,528
August.....	118,226,493	132,959,653	124,943,509	95,706,868	98,934,054	52,205,411
September.....	.....	145,491,991	134,521,685	117,017,915	92,476,568	58,677,633
October.....	.....	146,124,664	138,032,531	127,223,443	103,775,627	85,137,059
November.....	.....	114,733,560	107,016,358	93,396,435	86,775,979	83,222,648
December.....	.....	80,893,175	94,608,458	86,694,763	70,045,544	79,037,485
12 months.....	.....	¹ 1,231,790,929	¹ 1,138,632,320	¹ 986,717,759	¹ 983,736,225	¹ 776,880,593

¹ Includes certain corrections not appearing in monthly figures.² For meaning of this term, see page 109, Table V, footnote 2.TABLE B.—*Ratio of expenses to revenues, Class I steam railways, 1911-1927, by district, excluding switching and terminal companies*

Year ended—	United States	Eastern district	Southern district	Western district
June 30—	<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>	<i>Per cent</i>
1911.....	68.50	70.35	68.40	66.56
1912.....	69.19	70.27	71.06	67.29
1913.....	69.33	71.34	71.82	66.23
1914.....	72.05	75.71	72.58	67.90
1915.....	70.35	72.42	73.09	67.09
1916.....	65.33	66.65	66.38	63.43
Dec. 31—				
1916.....	65.50	67.96	65.15	62.87
1917.....	70.44	74.93	68.04	66.38
1918.....	81.35	85.60	77.65	77.91
1919.....	85.06	88.31	86.99	80.69
1920.....	94.38	99.37	93.44	89.16
1921.....	82.71	84.63	84.39	79.86
1922.....	79.41	81.85	77.43	77.38
1923.....	77.83	79.20	77.15	76.39
1924.....	76.13	77.61	74.93	74.91
1925.....	74.10	75.67	71.68	73.30
1926.....	73.15	74.77	71.22	72.10
8 months, 1927.....	75.48	75.70	73.27	76.32

TABLE C.—*Analysis of operating revenues and expenses, Class I steam railways, including switching and terminal companies, 1925-1927*

Item	Eight months, January to August, inclusive		Calendar year 1926	Calendar year 1925
	1927	1926		
Operating revenues:				
Freight.....	\$3, 047, 932, 855	\$3, 084, 031, 943	\$4, 808, 768, 775	\$4, 552, 525, 696
Passenger.....	661, 943, 605	701, 888, 284	1, 042, 981, 164	1, 056, 265, 169
Mail.....	62, 461, 488	62, 884, 560	96, 133, 509	97, 065, 380
Express.....	88, 658, 684	92, 760, 633	149, 038, 256	145, 345, 233
All other.....	228, 227, 184	231, 300, 674	351, 644, 885	335, 402, 041
Total.....	4, 089, 223, 816	4, 172, 866, 094	6, 448, 566, 589	6, 186, 603, 519
Per cent of total:				
Freight.....	74. 5	73. 9	74. 6	73. 6
Passenger.....	16. 2	16. 8	16. 2	17. 1
Mail.....	1. 5	1. 5	1. 5	1. 6
Express.....	2. 2	2. 2	2. 3	2. 3
All other.....	5. 6	5. 6	5. 4	5. 4
Operating expenses:				
Maintenance of way and structures.....	585, 045, 760	576, 070, 380	874, 244, 048	824, 320, 083
Maintenance of equipment.....	824, 631, 143	856, 684, 058	1, 291, 919, 172	1, 268, 863, 685
Traffic.....	80, 494, 584	75, 657, 644	114, 761, 660	106, 136, 437
Transportation.....	1, 440, 356, 155	1, 442, 017, 480	2, 209, 245, 908	2, 165, 181, 535
General.....	128, 062, 989	123, 443, 339	185, 773, 808	176, 862, 375
All other.....	27, 332, 660	27, 026, 108	39, 077, 282	40, 877, 670
Total.....	3, 085, 923, 291	3, 100, 899, 009	4, 715, 021, 878	4, 582, 241, 785
Per cent of total:				
Maintenance of way and structures.....	19. 0	18. 6	18. 6	18. 0
Maintenance of equipment.....	26. 7	27. 6	27. 4	27. 7
Traffic.....	2. 6	2. 4	2. 4	2. 3
Transportation.....	46. 7	46. 5	46. 9	47. 2
General.....	4. 1	4. 0	3. 9	3. 9
All other.....	. 9	. 9	. 8	. 9
Railway tax accruals.....	253, 081, 951	255, 145, 894	394, 243, 640	363, 484, 919
Uncollectible railway revenue.....	981, 455	1, 063, 532	1, 863, 264	1, 935, 538
Equipment rents—debit.....	57, 376, 354	54, 287, 388	82, 041, 723	78, 069, 182
Joint facility rent—debit.....	16, 637, 232	15, 935, 775	23, 605, 155	22, 239, 775
Net railway operating income.....	675, 223, 533	745, 534, 496	1, 231, 790, 929	1, 138, 632, 320

TABLE D.—*Ton-miles of freight (revenue and nonrevenue) by months, 1923-1927, Class I steam railways*

Month	1927	1926	1925	1924	1923
	<i>Millions</i>	<i>Millions</i>	<i>Millions</i>	<i>Millions</i>	<i>Millions</i>
January.....	39, 223	37, 680	37, 026	34, 510	37, 707
February.....	37, 250	35, 405	33, 570	35, 982	32, 628
March.....	41, 816	38, 669	35, 332	36, 426	39, 222
April.....	37, 102	36, 300	33, 571	31, 926	38, 321
May.....	40, 113	39, 834	37, 126	33, 915	39, 598
June.....	38, 483	39, 252	35, 854	31, 968	38, 001
July.....	38, 380	41, 717	37, 944	33, 185	38, 518
August.....	41, 973	43, 734	41, 709	36, 457	40, 344
September.....		44, 328	41, 305	39, 064	39, 461
October.....		48, 273	44, 054	43, 134	42, 210
November.....		43, 342	40, 775	38, 067	38, 158
December.....		40, 096	37, 856	35, 006	33, 427
12 months.....		¹ 488, 578	¹ 456, 087	¹ 429, 644	¹ 457, 607

¹ Includes certain corrections not appearing in monthly figures.

TABLE E.—*Selected operating averages in freight and passenger service of Class I steam railways in the United States, 1925-1927*

Item	Seven months, January-July		Calendar year	
	1927	1926	1926	1925
Average miles of road included.....	236,566	235,498	235,331	234,952
Net ton-miles per mile of road per day.....	5,431	5,385	5,688	5,318
Per cent of freight locomotives unserviceable.....	16.6	16.9	16.4	17.8
Per cent of freight cars unserviceable.....	5.8	6.8	6.5	7.7
Per cent loaded of total car-miles.....	63.0	63.8	63.7	64.5
Per cent eastbound or northbound of loaded car-miles.....	58.8	58.5	59.0	58.6
Car-miles per car-day.....	29.8	29.3	30.4	28.5
Net ton-miles per car-day.....	512	504	532	495
Net tons per loaded car.....	27.3	27.0	27.4	27.0
Cars per train.....	46.0	44.6	45.2	43.8
Gross tons per train (excluding locomotives and tenders).....	1,761	1,699	1,737	1,670
Net tons per train (including non-revenue tons).....	773	750	772	744
Average miles per hour, trains in freight service.....	12.3	12.0	11.9	11.8
Pounds of coal per 1,000 gross ton-miles (including locomotives and tenders).....	132	139	137	140
Average cost of coal per ton (including freight).....	\$2.66	\$2.62	\$2.63	\$2.71
Revenue per ton-mile.....	\$0.01073	\$0.01089	\$0.01082	\$0.01098
Average haul per revenue ton:				
Per railroad.....	184.03	184.01	183.31	182.86
United States as a system.....	(¹)	(¹)	332.11	331.78
Number of freight train-miles.....	352,254,856	358,270,917	632,556,726	612,679,545
Number of passenger train-miles.....	315,449,702	320,563,371	550,386,177	552,412,159
Number of passenger-train car-miles.....	2,183,416,011	2,185,989,419	3,791,877,668	3,717,014,118
Passenger-train cars per train.....	6.92	6.82	6.89	6.73
Revenue per passenger per mile:				
Including commutation passengers.....	\$0.02917	\$0.02955	\$0.02936	\$0.02934
Excluding commutation passengers.....	\$0.03359	\$0.03375	\$0.03349	\$0.03344

¹ Data not available.TABLE F.—*Results of operations of the Pullman Co., 1925-1927*¹

Item	Eight months, January-August		Calendar year	
	1927	1926	1926	1925
Sleeping car operations:				
Total revenues.....	\$54,506,451	\$54,955,088	\$81,834,317	\$80,198,067
Total expenses.....	43,771,254	44,716,537	68,204,247	63,512,594
Net revenue.....	10,735,197	10,238,551	13,630,070	16,685,473
Auxiliary operations:				
• Net revenue.....	123,943	144,370	158,710	93,558
Total net revenue.....	10,859,140	10,382,921	13,788,780	16,779,031
Taxes accrued.....	2,944,074	2,955,398	4,223,944	4,233,027
Operating income ² or loss.....	7,915,066	7,427,523	9,564,836	12,546,004
Statistics of car operations:				
Number of revenue passengers—				
Berth.....	14,815,686	15,186,873	22,658,191	22,470,751
Seat.....	8,805,533	8,917,498	13,415,020	13,055,052
Total.....	23,621,219	24,104,371	36,073,211	35,525,803
Number of nonrevenue passengers.....	481,922	463,077	709,191	673,895
Revenue passengers per car per day.....	11.07	11.45	11.44	11.80
Revenue per berth passenger.....	\$3.51	\$3.49	\$3.46	\$3.39
Revenue per seat passenger.....	\$0.78	\$0.78	\$0.77	\$0.77
Car-miles per car-day.....	359.21	352.39	352.97	347.08

¹ Statement covers car and auxiliary operations other than manufacturing plant.

TABLE G.—Average number of employees and total compensation, fiscal year ended June 30, 1927, Class I railways

Division No.	Reporting division	Average number of employees middle of month	Total compensation
I. EXECUTIVES, OFFICIALS, AND STAFF ASSISTANTS			
1	Executives, general officers, and assistants..... D..	7,467	\$53,146,236
2	Division officers, assistants, and staff assistants..... D..	9,474	38,207,034
	Total (executives, officials, and staff assistants)..... D..	16,941	91,353,270
II. PROFESSIONAL, CLERICAL, AND GENERAL			
3	Architectural, chemical, and engineering assistants (A)..... D..	3,144	9,356,763
4	Architectural, chemical, and engineering assistants (B)..... D..	4,365	9,858,253
5	Subprofessional engineering and laboratory assistants..... D..	3,955	6,481,208
6	Professional and subprofessional legal assistants..... D..	568	1,602,348
7	Supervisory or chief clerks (major departments)..... D..	5,077	14,626,564
8	Chief clerks (minor departments) and assistant chief clerks and supervising cashiers..... D..	13,206	29,561,439
9	Clerks and clerical specialists (A)..... D..	13,583	26,806,201
10	Clerks (B)..... D..	134,398	211,144,713
11	Clerks (C)..... D..	18,670	23,530,699
12	Mechanical device operators (office)..... D..	8,448	11,194,124
13	Stenographers and secretaries (A)..... D..	3,649	6,778,583
14	Stenographers and typists (B)..... D..	21,828	31,109,689
15	Storekeepers, sales agents, and buyers..... D..	3,246	6,744,996
16	Ticket agents and assistant ticket agents..... D..	1,686	3,633,563
17	Traveling auditors or accountants..... D..	2,003	5,146,247
18	Telephone switchboard operators and office assistants..... D..	5,249	4,869,306
19	Messengers and office boys..... D..	6,608	4,655,465
20	Elevator operators and other office attendants..... D..	1,316	1,344,520
21	Lieutenants and sergeants of police..... D..	2,490	5,141,088
22	Patrolmen..... D..	5,769	10,270,147
23	Watchmen (without police authority)..... D..	3,240	4,048,079
24	Supervising traffic agents..... D..	1,695	6,233,695
25	Traffic agents, advertising and development agents..... D..	7,076	18,651,921
26	Fire prevention, smoke, and time-service inspectors, and office building superintendents..... D..	433	1,081,137
27	Claim agents and claim investigators..... D..	1,809	4,761,664
28	Real estate and tax agents and investigators..... D..	402	1,130,912
29	Examiners, instructors, and special investigators..... D..	579	1,620,318
30	Miscellaneous trades workers (other than plumbers)..... D..	724	1,268,582
31	Motor vehicle and motor car operators..... D..	1,632	2,173,645
32	Teamsters and stablemen..... D..	116	173,233
33	Janitors and cleaners..... D..	7,905	7,496,030
	Total (professional, clerical, and general):		
	Daily basis..... D..	53,415	119,909,022
	Hourly basis..... D..	231,459	352,586,110
III. MAINTENANCE OF WAY AND STRUCTURES			
34	Roadmasters and general foremen..... D..	3,339	10,126,841
35	Assistant general foremen..... D..	363	961,680
36	Supervising maintenance of way inspectors and scale inspectors..... D..	344	785,753
37	Maintenance of way inspectors..... D..	686	1,480,958
38	Bridge and building gang foremen (skilled labor)..... D..	5,630	11,597,670
39	Bridge and building carpenters..... D..	23,197	34,620,629
40	Bridge and building ironworkers..... D..	1,051	1,850,088
41	Bridge and building painters..... D..	3,201	4,608,554
42	Masons, bricklayers, plasterers, and plumbers..... D..	2,367	4,356,014
43	Skilled trades helpers..... D..	11,259	13,445,412
44	Regular apprentices..... D..	50	55,830
45	Portable steam equipment operators..... D..	2,569	5,208,163
46	Portable steam equipment operator helpers..... D..	966	1,391,400
47	Pumping equipment operators..... D..	5,280	5,364,407
48	Gang foremen (extra gang and work-train laborers)..... D..	4,692	8,085,174
49	Gang foremen (bridge and building, signal and telegraph laborers)..... D..	567	1,167,621
50	Gang or section foremen..... D..	40,095	61,654,228
51	Laborers (extra gang and work-train)..... D..	69,944	65,679,784
52	Track and roadway section laborers..... D..	216,773	192,055,717
53	Maintenance of way laborers (other than track and roadway) and gardeners and farmers..... D..	9,007	8,307,757
54	General foremen and supervising inspectors (signal, telegraph, and electrical transmission)..... D..	555	1,691,700
55	Assistant general foremen (signal, telegraph, and electrical transmission) and signal and telegraph inspectors..... D..	717	1,894,405

TABLE G.—Average number of employees and total compensation, fiscal year ended June 30, 1927, Class I railways—Continued

Division No.	Reporting division	Average number of employees middle of month	Total compensation
III. MAINTENANCE OF WAY AND STRUCTURES—continued			
56	Gang foremen (signal and telegraph skilled trades labor)	1,588	\$3,826,367
57	Signalmen and signal maintainers	9,451	18,449,436
58	Line men and groundmen	2,734	5,024,348
59	Assistant signalmen and assistant signal maintainers	3,596	5,323,010
60	Signalman and signal maintainer helpers	4,369	5,444,513
Total (maintenance of way and structures):			
Daily basis		5,024	14,674,626
Hourly basis		419,416	459,812,833
IV. MAINTENANCE OF EQUIPMENT AND STORES			
61	General foremen (maintenance of equipment)	1,449	5,264,981
62	Assistant general foremen and department foremen (maintenance of equipment)	11,262	35,192,325
63	General foremen (stores)	301	648,159
64	Assistant general foremen (stores)	172	343,535
65	Equipment, shop, and electrical inspectors (maintenance of equipment)	1,647	4,336,724
66	Material and supplies inspectors	1,980	4,234,811
67	Gang foremen and gang leaders (skilled labor)	11,467	30,415,901
68	Blacksmiths	8,820	16,383,264
69	Boilermakers	18,840	36,687,717
70	Carmen (A)	21,679	39,744,329
71	Carmen (B)	4,300	7,734,427
72	Carmen (C)	81,782	145,666,829
73	Carmen (D)	2,122	3,455,897
74	Electrical workers (A)	7,360	14,828,078
75	Electrical workers (B)	2,814	5,206,272
76	Electrical workers (C)	322	637,208
77	Machinists	60,033	115,045,768
78	Molders	1,210	2,207,651
79	Sheet-metal workers	11,559	22,126,628
80	Skilled trades helpers (maintenance of equipment and stores)	112,130	150,619,852
81	Helper apprentices (maintenance of equipment and stores)	6,953	9,297,308
82	Regular apprentices (maintenance of equipment and stores)	13,397	13,106,812
83	Gang foremen laborers (shops, enginehouses, power plants, and stores)	4,124	6,735,309
84	Coach cleaners	12,842	14,651,783
85	Laborers (shops, enginehouses, and power plants)	42,552	48,556,087
86	Common laborers (shops, enginehouses, power plants, and stores)	58,938	57,577,877
87	Stationary engineers (steam)	2,507	4,921,180
88	Stationary firemen and oilers (steam and electrical plants)	5,493	8,744,752
89	Coal passers and water tenders (steam station boiler rooms)	585	864,511
Total (maintenance of equipment and stores):			
Daily basis		16,811	50,020,535
Hourly basis		491,828	755,155,440
V. TRANSPORTATION (OTHER THAN TRAIN, ENGINE, AND YARD)			
90	Chief train dispatchers, train dispatchers, and train directors	5,424	17,576,150
91	Station agents (supervisory—major stations—nontelegraphers)	2,503	7,620,011
92	Station agents (supervisory—smaller stations—nontelegraphers)	5,426	11,448,795
93	Station agents (nonsupervisory—smaller stations—nontelegraphers)	3,210	4,337,231
94	Station agents (telegraphers and telephoners)	19,112	33,576,244
95	Chief telegraphers and telephoners or wire chiefs	846	2,058,877
96	Clerk-telegraphers and clerk-telephoners	13,810	24,118,159
97	Telegraphers, telephoners, and towermen	25,317	46,037,496
98	Station masters and assistants	516	1,278,216
99	Supervising baggage agents	132	286,163
100	Baggage agents and assistants	773	1,305,704
101	Baggage, parcel room, and station attendants	9,344	11,541,735
102	General foremen (freight stations, warehouses, grain elevators, and docks)	550	1,205,633
103	Assistant general foremen (freight stations, warehouses, grain elevators, and docks)	439	867,431
104	Gang foremen (freight station, warehouse, grain elevator, and dock labor)	3,649	6,279,045
105	Callers, loaders, scalers, sealers, and perishable freight inspectors	15,740	20,174,084
106	Truckers (stations, warehouses, and platforms)	38,630	42,845,916
107	Laborers (coal and ore docks and grain elevators)	1,838	2,790,335
108	Common laborers (stations, warehouses, platforms, and grain elevators)	4,218	4,648,938
109	Stewards, restaurant and lodging-house managers, and dining-car supervisors	1,762	3,545,283
110	Chefs and first cooks (dining cars and restaurants)	1,669	2,930,722
111	Second and third cooks (dining cars and restaurants)	2,991	3,621,986

TABLE G.—Average number of employees and total compensation, fiscal year ended June 30, 1927, Class I railways—Continued

Division No.	Reporting division	Average number of employees middle of month	Total compensation
V. TRANSPORTATION (OTHER THAN TRAIN, ENGINE, AND YARD)—contd.			
112	Waiters and lodging-house attendants.....	7, 120	\$5, 888, 499
113	Camp and crew cooks and kitchen helpers.....	3, 879	3, 603, 176
114	Barge, lighter, and gasoline launch officers and workers.....	2, 182	4, 165, 172
115	Deck officers (ferryboats and towing vessels).....	971	2, 449, 139
116	Engine-room officers (ferryboats and towing vessels).....	920	2, 299, 128
117	Deck and engine-room workers (ferryboats and towing vessels).....	4, 551	7, 168, 341
118	Deck and engine-room officers and workers (steamers).....	1, 302	1, 221, 675
119	Floating equipment shore workers and attendants.....	953	1, 351, 593
120	Transportation and dining service inspectors..... D	915	2, 261, 673
121	Parlor and sleeping car conductors.....	56	125, 614
122	Train attendants.....	3, 570	4, 186, 935
123	Bridge operators and helpers.....	1, 365	1, 840, 639
124	Crossing and bridge flagmen and gatemen..... D	22, 134	20, 213, 714
125	Foremen (laundry) and laundry workers.....	399	415, 779
Total (transportation—other than train, engine, and yard):			
Daily basis.....		26, 206	31, 659, 777
Hourly basis.....		182, 346	275, 634, 754
VI(A). TRANSPORTATION (YARDMASTERS, SWITCH TENDERS, AND HOSTLERS)			
126	Yardmasters and assistants..... D	7, 164	22, 414, 228
127	Switch tenders.....	5, 756	10, 024, 800
128	Outside hostlers.....	2, 523	5, 690, 348
129	Inside hostlers.....	6, 639	12, 710, 391
130	Outside hostler helpers.....	1, 948	3, 425, 979
Total (transportation—yardmasters, switch tenders, and hostlers):			
Daily basis.....		7, 164	22, 414, 228
Hourly basis.....		16, 866	31, 851, 518
Total, all groups (except train and engine):			
Daily basis.....		125, 561	330, 031, 458
Hourly basis.....		1, 341, 915	1, 875, 040, 655
VI(B). TRANSPORTATION (TRAIN AND ENGINE)			
131	Road passenger conductors.....	10, 455	31, 670, 794
132	Assistant road passenger conductors and ticket collectors.....	1, 249	3, 163, 788
133	Road freight conductors (through freight).....	16, 072	42, 786, 290
134	Road freight conductors (local and way freight).....	9, 574	29, 556, 795
135	Road passenger baggagemen.....	5, 772	13, 270, 478
136	Road passenger brakemen and flagmen.....	14, 036	28, 731, 468
137	Road freight brakemen and flagmen (through freight).....	37, 427	71, 774, 881
138	Road freight brakemen and flagmen (local and way freight).....	24, 058	57, 721, 409
139	Yard conductors and yard foremen.....	21, 974	54, 017, 039
140	Yard brakemen and yard helpers.....	55, 191	115, 354, 404
141	Road passenger engineers and motormen.....	13, 049	41, 782, 050
142	Road freight engineers and motormen (through freight).....	21, 895	65, 385, 153
143	Road freight engineers and motormen (local and way freight).....	9, 650	34, 840, 084
144	Yard engineers and motormen.....	22, 155	55, 306, 927
145	Road passenger firemen and helpers.....	12, 419	30, 260, 617
146	Road freight firemen and helpers (through freight).....	23, 586	50, 133, 073
147	Road freight firemen and helpers (local and way freight).....	9, 786	26, 303, 630
148	Yard firemen and helpers.....	22, 671	43, 276, 265
Total (transportation—train and engine).....		331, 019	795, 335, 145
Grand total, all employees.....		1, 798, 495	3, 000, 407, 258

TABLE H.—*Tonnage of commodities originating on Class I steam roads, 1926-27*

Commodity	January-June, 1927		January-June, 1926		Calendar year, 1926	
	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total
PRODUCTS OF AGRICULTURE						
Wheat.....	7,945,319	1.29	7,015,410	1.16	24,378,500	1.82
Corn.....	7,003,922	1.13	7,403,651	1.22	13,925,932	1.04
Oats.....	2,638,630	.43	3,304,314	.55	6,496,314	.49
Other grain.....	1,922,666	.31	1,737,828	.29	4,014,311	.30
Flour and meal.....	4,777,381	.77	4,583,858	.76	10,136,846	.76
Other mill products.....	5,076,276	.82	4,937,528	.82	9,767,971	.73
Hay, straw, and alfalfa.....	2,334,776	.38	2,677,871	.44	5,028,821	.38
Tobacco.....	504,814	.08	500,892	.08	1,009,883	.08
Cotton.....	1,808,044	.29	1,325,007	.22	4,482,057	.34
Cottonseed and products, except oil.....	2,473,798	.40	2,181,626	.36	6,483,820	.48
Citrus fruits.....	1,116,694	.18	883,723	.15	1,533,172	.11
Other fresh fruits.....	1,495,024	.24	1,420,721	.23	6,320,966	.47
Potatoes.....	2,168,180	.35	1,955,881	.32	4,338,922	.32
Other fresh vegetables.....	1,609,888	.26	1,386,410	.23	2,800,193	.21
Dried fruits and vegetables.....	525,433	.09	582,307	.10	1,568,501	.12
Other products of agriculture.....	2,120,303	.34	2,110,830	.35	9,500,969	.71
Total.....	45,521,148	7.36	44,007,857	7.28	111,787,179	8.36
ANIMALS AND PRODUCTS						
Horses and mules.....	247,189	.04	270,199	.05	512,734	.04
Cattle and calves.....	3,706,230	.60	3,830,390	.63	9,240,726	.69
Sheep and goats.....	504,797	.08	496,496	.08	1,270,028	.10
Hogs.....	2,858,977	.46	2,792,056	.46	5,271,751	.40
Fresh meats.....	1,503,742	.24	1,468,868	.24	2,995,978	.22
Other packing-house products.....	950,555	.16	1,016,498	.17	2,022,363	.15
Poultry.....	159,954	.03	151,599	.03	408,527	.03
Eggs.....	445,528	.07	413,930	.07	644,008	.05
Butter and cheese.....	368,778	.06	356,125	.06	724,939	.05
Wool.....	173,879	.03	138,709	.02	281,189	.02
Hides and leather.....	506,103	.08	478,339	.08	984,508	.07
Other animals and products.....	1,011,795	.16	916,961	.15	1,887,317	.14
Total.....	12,437,527	2.01	12,330,170	2.04	26,244,068	1.96
PRODUCTS OF MINES						
Anthracite coal.....	36,012,110	5.82	32,213,238	5.33	76,014,657	5.69
Bituminous coal.....	188,553,295	30.46	176,947,588	29.28	389,085,945	29.11
Coke.....	8,897,278	1.44	12,377,969	2.05	22,207,081	1.66
Iron ore.....	25,512,436	4.12	23,005,045	3.81	76,022,890	5.69
Other ores and concentrates.....	5,696,846	.92	6,477,913	1.07	13,038,918	.98
Base bullion and matte.....	439,524	.07	438,597	.07	881,703	.07
Clay, gravel, sand, and stone.....	68,154,431	11.01	65,220,009	10.79	157,295,962	11.77
Crude petroleum.....	5,630,641	.91	4,932,786	.82	10,739,683	.80
Asphaltum.....	1,348,734	.22	1,255,320	.21	3,100,954	.23
Salt.....	1,526,070	.25	1,499,880	.25	3,238,356	.24
Other products of mines.....	2,905,544	.47	3,184,522	.53	6,436,866	.48
Total.....	344,676,909	55.69	327,552,867	54.21	758,064,458	56.72
PRODUCTS OF FORESTS						
Logs, posts, poles, and cordwood..	21,467,331	3.47	24,397,373	4.04	45,166,040	3.38
Ties.....	2,923,939	.47	2,339,011	.39	4,854,685	.36
Pulpwood.....	4,003,643	.65	3,542,186	.59	5,942,988	.45
Lumber, timber, box shooks, staves, and headings.....	21,856,477	3.53	23,458,241	3.88	46,065,081	3.45
Other products of forests.....	1,227,925	.20	1,364,895	.22	2,849,755	.21
Total.....	51,479,315	8.32	55,101,706	9.12	104,858,549	7.85
MANUFACTURES AND MISCELLANEOUS						
Refined petroleum and its products.....	24,415,619	3.95	23,322,344	3.86	48,937,797	3.66
Vegetable oils.....	954,996	.15	832,322	.14	1,621,332	.12
Sugar, sirup, glucose, and molasses.....	2,585,249	.42	2,722,232	.45	5,744,064	.43
Boats and vessel supplies.....	8,807	(1)	7,370	(1)	13,138	(1)

1 Less than 0.01 per cent.

TABLE H.—*Tonnage of commodities originating on Class 1 steam roads, 1926-27—Continued*

Commodity	January-June, 1927		January-June, 1926		Calendar year, 1926	
	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total	Number of tons (2,000 pounds)	Per cent of total
MANUFACTURES AND MISCELLANEOUS—continued						
Iron, pig, and bloom.....	6,328,408	1.02	7,643,448	1.26	15,131,902	1.13
Rails and fastenings.....	1,583,954	.26	1,447,297	.24	2,874,782	.22
Bar and sheet iron, structural iron, and iron pipe.....	17,193,348	2.78	15,612,802	2.58	30,568,134	2.29
Other metals, pig, bar, and sheet.....	1,518,131	.25	2,787,839	.46	5,604,055	.42
Castings, machinery, and boilers.....	2,738,382	.44	2,925,907	.48	5,772,567	.43
Cement.....	11,294,787	1.83	10,836,220	1.79	24,920,791	1.87
Brick and artificial stone.....	9,768,568	1.58	9,846,516	1.63	20,336,825	1.52
Lime and plaster.....	3,083,672	.50	3,306,766	.55	6,641,872	.50
Sewer pipe and drain tile.....	1,260,289	.20	1,164,196	.19	2,386,501	.18
Agricultural implements and vehicles other than automobiles.....	1,678,083	.27	1,344,075	.22	2,304,526	.17
Automobiles and autotrucks.....	3,676,707	.59	4,030,605	.67	7,387,345	.55
Household goods and secondhand furniture.....	197,204	.03	234,062	.04	443,727	.03
Furniture (new).....	470,405	.08	463,384	.08	986,768	.07
Beverages.....	399,855	.06	404,508	.07	760,230	.06
Ice.....	1,679,266	.27	1,631,904	.27	4,152,032	.31
Fertilizers (all kinds).....	6,755,631	1.09	6,048,580	1.00	8,197,481	.61
Paper, printed matter, and books.....	1,685,688	.27	1,740,811	.29	3,440,713	.26
Chemicals and explosives.....	4,553,586	.74	5,106,485	.85	10,083,697	.75
Textiles.....	360,646	.06	433,055	.07	932,751	.07
Canned goods (all canned food products).....	1,740,303	.28	1,659,512	.27	4,070,532	.31
Other manufactures and miscellaneous.....	39,935,341	6.45	40,266,172	6.66	82,762,348	6.19
Total.....	145,866,925	23.57	145,818,412	24.12	296,075,910	22.15
Grand total, carload traffic.....	599,981,824	96.95	584,811,012	96.77	1,297,030,164	97.04
All l. c. l. freight.....	18,903,438	3.05	19,527,607	3.23	39,497,628	2.96
Grand total, carload and l. c. l. traffic.....	618,885,262	100.00	604,338,619	100.00	1,336,527,792	100.00

TABLE I.—*Summary of casualties to persons on steam railways in the United States for the years ending December 31, 1926, 1925, 1924, 1923, and 1922*

Class of persons	Number of persons									
	1926		1925		1924		1923		1922	
	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured
1. Trespassers.....	2,561	2,545	2,584	2,688	2,556	2,853	2,779	3,047	2,430	2,844
2. Employees:										
Trainmen on duty.....	723	30,781	722	29,175	672	29,224	937	36,195	719	29,311
Other employees.....	648	3,421	577	3,309	574	3,177	708	3,539	579	3,123
Total employees.....	1,371	34,202	1,299	32,484	1,246	32,401	1,645	39,734	1,298	32,434
3. Passengers.....	152	4,461	171	4,952	149	5,354	138	5,847	200	6,153
4. Persons carried under contract.....	13	664	27	601	20	557	21	674	25	651
5. Other nontrespassers.....	2,592	7,777	2,283	7,268	2,244	7,206	2,339	7,162	1,898	5,907
Total, classes 1 to 5.....	6,689	49,649	6,364	47,993	6,215	48,371	6,922	56,464	5,851	47,989
6. Casualties in nontrain accidents.....	401	80,586	402	89,442	402	95,368	463	115,248	474	86,882

APPENDIX D

POINTS DECIDED BY THE COMMISSION IN REPORTED
RATE CASES, WITH INDEX OF POINTS DECIDED
AND TABLE OF CASES

POINTS DECIDED IN REPORTED RATE CASES

Restrictions in Routing on Westbound Transcontinental Traffic, 115 I. C. C. 357.

1. Proposed elimination of Salt Lake & Utah as an intermediate participating carrier in routing of westbound transcontinental traffic found justified. Orders of suspension vacated.

2. Refusal of defendants to include the Salt Lake & Utah as an intermediate participating carrier in routing of eastbound transcontinental traffic found not unreasonable or otherwise unlawful. Complaint dismissed.

Salt from Ohio and W. Va., 115 I. C. C. 370.

3. Proposed increased rates on salt, in carloads, from Pomeroy, Ohio, and Hartford, Mason City, and Malden, W. Va., to Louisville, Ky., and Jeffersonville and New Albany, Ind., found justified for local application, but found not justified for proportional use or as bases for rates to points beyond.

Import iron and steel from Gulf ports, 115 I. C. C. 373.

4. Proposed increased rate on iron and steel articles, in carloads, imported, from New Orleans, La., and other Gulf ports excluding Texas Gulf ports, to St. Louis, Mo., and its restriction to lines east of the Mississippi River, and proposed increased rates on those articles from New Orleans to Little Rock and Pink Bluff, Ark., found justified.

5. Proposed increased rates on iron and steel articles, imported, from Texas Gulf ports to St. Louis, Mo., points in Oklahoma and Kansas, and Little Rock and Pine Bluff, Ark., and proposed restriction of import class rates so that fifth-class rates will not apply on iron and steel articles from those points to the destinations involved, found not justified. Suspended schedules ordered canceled. Reasonable rates prescribed for the future.

Transit on iron and steel articles, 115 I. C. C. 381.

6. Proposed charges for out-of-line hauls on iron and steel articles fabricated in transit at Parkersburg, W. Va., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Automatic train-control devices, 115 I. C. C. 387.

7. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

8. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected to comply.

Switching at Lamar and Harrisonville, 115 I. C. C. 393.

9. Proposed increased charges for switching at Lamar and Harrisonville, Mo., found justified.

Metal & Thermit Corp. v. P. R. R. Co., 115 I. C. C. 396.

10. Charges applicable on one electric traveling crane from Muskegon, Mich., to South San Francisco, Calif, resulting from furnishing three cars therefor each shorter than the two cars ordered, found unreasonable. Reparation awarded.

Hulett & Son v. C. & N. W. Ry. Co., 115 I. C. C. 399.

11. Rate on iron beds, in carloads, from Kenosha, Wis., to Meridian, Miss., found not unreasonable. Complaint dismissed.

Desch v. N. P. Ry. Co., 115 I. C. C. 401.

12. Rates on one less-than-carload shipment of household goods and trailer, from Bozeman, Mont., to Alameda, Calif., found applicable and not unreasonable. Complaint dismissed.

Stuckey-Odom Lumber Co. v. L. & N. R. R. Co., 115 I. C. C. 403.

13. Rates and charges collected on a carload of yellow-pine lumber shipped from Camden, Ala., to Pottsville, Pa., and ordered diverted to Tamaqua, Pa., not shown to have been unreasonable and found not unlawful, except to the extent of the demurrage charges thereon. Reparation awarded. Refund of an outstanding overcharge directed.

Zimmerman v. Director General, 115 I. C. C. 407.

14. Rates on barley, in carloads, shipped from points in South Dakota and Minnesota during Federal control to Minneapolis, Minn., and forwarded to Milwaukee, Wis., found applicable. Complaint dismissed.

Memphis Freight Bureau v. St. L., S. W. Ry. Co., 115 I. C. C. 409.

15. Rule naming charges on overloaded cars and charges assessed thereunder not found to have been or to be unreasonable or otherwise unlawful. Complaint dismissed.

Pendleton & Kilkey v. M., R. L. & M. Ry. Co., 115 I. C. C. 413.

16. Rate charged on a carload shipment of cedar posts from spur 28, Minn., to Treaty, Ind., found inapplicable. Reparation awarded.

Canale & Co. v. Director General, 115 I. C. C. 415.

17. Rates charged on a carload of grapes shipped from Portland, N. Y., to Memphis, Tenn., and reshipped to New Orleans, La., found not illegal. Complaint dismissed.

Hipskind v. W. Ry. Co., 115 I. C. C. 417.

18. Allegation of overcharges on a carload of coal which moved over an interstate route from Clinton, Ind., to Wabash, Ind., not sustained. Complaint dismissed.

Lynchburg Chamber of Commerce v. G. R. R., 115 I. C. C. 419.

19. Applicable through rate on a carload of lumber shipped from Milledgeville, Ga., to Edenton, N. C., and reconsigned to Arlington, Md., determined, and found not unreasonable. Shipment found to have been overcharged. Refund of overcharge directed and complaint dismissed.

Manassa Timber Co. v. L. & N. R. R. Co., 115 I. C. C. 421.

20. Period within which claims may be presented to carriers for refund of demurrage charges collected on account of bunching of cars found not unreasonable.

21. Demurrage and track-storage charges collected for detention of two cars of lumber at Detroit, Mich., found applicable.

22. Charges collected for detention of three cars of lumber at Louisville, Ky., found in excess of those applicable. Refund of overcharges directed. Complaint dismissed.

Automatic train-control devices, 115 I. C. C. 426.

23. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

24. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Deshler Broom Factory v. A., T. & S. F. Ry. Co., 115 I. C. C. 437.

25. On further hearing, findings and order relating to rates on broom handles, in carloads, from points in Michigan and Wisconsin to Des Moines, Iowa, North Kansas City and Kansas City, Mo., and Deshler, Nebr., modified. Original report, 104 I. C. C. 183.

Lawrence Construction Co. v. L. & N. R. R. Co., 115 I. C. C. 439.

26. Rate charged on one steam road-roller shipped from Shreveport, La., to Bluff Springs, Fla., found inapplicable. Refund of overcharge directed and complaint dismissed.

Bartling Grain Co. v. M. P. R. R. Co., 115 I. C. C. 441.

27. Reparation denied on interstate shipments of grain and grain products, in carloads, from points in Idaho, Colorado, and Wyoming to points in New York, Illinois, Minnesota, Louisiana, Missouri, Iowa, Nebraska, Kansas, Colorado, Wyoming, Utah, Idaho, and California and (in No. 15587) from unnamed points

in western and mountain groups to Arkadelphia, Ark., during the period October 20, 1921, to January 7, 1922, for lack of proof of unreasonableness of the particular rates assailed. Complaint dismissed.

Lafayette Lumber Co. v. P. R. R. Co., 115 I. C. C. 445.

28. Rates on crossties, in carloads, from Bedford and other points in Pennsylvania to Buffalo, N. Y., and related points, found unreasonable. Reasonable rates prescribed. Reparation awarded.

Cream and related articles, 115 I. C. C. 447.

29. Proposed increased rates on cream and related articles between points on the Chicago & Eastern Illinois Railway found justified. Order of suspension vacated.

Automatic train-control devices, 115 I. C. C. 451.

30. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

31. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Grain and grain products, 115 I. C. C. 457.

32. Proposed cancellation of rates on grain and grain products, in carloads, from Omaha and South Omaha, Nebr., Des Moines and Council Bluffs, Iowa, and Kansas City, Mo., when from beyond, to points in Arkansas found not justified, without prejudice to the filing of new schedules not in conflict with conclusions herein. Suspended schedules ordered canceled and proceeding discontinued.

Miller v. P. M. Ry. Co., 115 I. C. C. 461.

33. Rate charged on one carload of potatoes from Sidney, Mich., consigned to Niagara Falls, N. Y., reconsigned to Old Forge, Pa., and again reconsigned to Philadelphia, Pa., found applicable except as indicated in the report, and not unreasonable.

34. Demurrage charges assessed at Philadelphia found in part not applicable. Reparation awarded.

Lynchburg Chamber of Commerce v. B. & O. Ry. Co., 115 I. C. C. 465.

35. Rate on box board, in carloads, from Halltown, W. Va., to Lynchburg, Va., found not unreasonable or otherwise unlawful. Complaint dismissed.

Rates, regulations, and practices of P. & P. U. Ry. Co., 115 I. C. C. 469.

36. Respondents required to establish joint rates in connection with the Peoria & Pekin Union to, from, and via Peoria or East Peoria, Ill.

37. Just, reasonable, and equitable divisions of such joint rates prescribed. Appropriate order entered.

38. Proposed charges for intermediate switching in Peoria switching district found not justified. Suspended schedules ordered canceled.

39. Charge for intermediate switching between Minneapolis & St. Louis and carriers in East Peoria found unreasonable, as well as unduly prejudicial, and ordered canceled. Former reports, 68 I. C. C. 412, 77 I. C. C. 43, and 93 I. C. C. 3.

Miller v. C. of G. Ry. Co., 115 I. C. C. 518.

40. Carload shipment of fresh peaches from Powersville, Ga., to Jamestown, N. Y., found not misrouted. Applicable rate found not unreasonable. Refund of overcharge directed and complaint dismissed.

Lissberger & Co. v. P. R. R. Co., 115 I. C. C. 521.

41. Rates on spelter by-products, in carloads, moving interstate between points in New England and eastern trunk-line territories found unreasonable to the extent indicated in the report. Reparation awarded and reasonable rates prescribed. Refund of overcharges directed.

42. Rates on like traffic from points in Canada to points in eastern trunk-line territory found unreasonable to the extent indicated in the report. Reparation awarded.

43. Rates on like traffic from points in central territory, and from western terminal points, not including Pittsburgh, Pa., to Trenton, N. J., found not unreasonable or otherwise unlawful.

44. Rates on like traffic from Pittsburgh, Pa., to Trenton, N. J., found unreasonable. Reparation awarded.

45. Fourth-section relief granted.

Wheeler Mfg. Co. v. A. C. L. R. R. Co., 115 I. C. C. 527.

46. Rates charged on condensing machinery, steam condensers, pumps, and parts thereof, in carloads, from North Philadelphia, Pa., to points in Florida found applicable. Complaint dismissed.

American Radiator Co. v. D. & T. S. L. R. R. Co., 115 I. C. C. 529.

47. Rate charged on five carloads of refuse sand from Detroit, Mich., to Indianapolis, Ind., found unreasonable. One carload found overcharged. Reasonable rates prescribed, and reparation awarded.

48. Fourth-section relief denied.

Hauber Cooperage Co. v. A., T. & S. F. Ry. Co., 115 I. C. C. 533.

49. Carload minimum on slack wooden barrels from Kansas City, Kans.-Mo., to Enid and Tulsa, Okla., found unreasonable. Present rates found not unreasonable. Reasonable carload minima prescribed for the future. Reparation awarded.

Lynchburg Chamber of Commerce v. S. A. L. Ry. Co., 115 I. C. C. 537.

50. Two carloads of lumber from Trio, S. C., to Spartanburg, S. C., and rebilled to Erwin, Tenn., found to have been misrouted. Reparation awarded.

Parkersburg Rig & Reel Co. v. B. & O. R. R. Co., 115 I. C. C. 539.

51. Official classification third-class rating on wooden tanks, knocked down, found unreasonable, and rule 26 rating prescribed.

Lautz Marble Corp. v. E. R. R. Co., 115 I. C. C. 543.

52. Rates charged on rough marble, in carloads, from New York Harbor points to Buffalo, N. Y., moving interstate, found inapplicable on certain shipments and unreasonable on certain other shipments. Reparation awarded.

Mooney & Co. v. P. R. R. Co., 115 I. C. C. 547.

53. Rates on potatoes, in barrels, in carloads, from Virginia points to Jacksonville, Fla., found unreasonable. Reparation awarded.

Pearlstone Mill & Elevator Co. v. A., T. & S. F. Ry. Co., 115 I. C. C. 551.

54. Out-of-line charge on grain milled in transit at Dallas, Tex., found not unreasonable or unduly prejudicial. Complaint dismissed.

Memphis Furniture Mfg. Co. v. I. C. R. R. Co., 115 I. C. C. 554.

55. Rate charged on three carloads of metallic couch frames, folded flat, from Chicago, Ill., to Memphis, Tenn., found unreasonable. Reparation awarded.

Pine & Cypress Mfg. Co. v. L. & N. R. R. Co., 115 I. C. C. 557.

56. Rate charged on a carload of dressed pine lumber from Hogansville, Ga., to Norton, Va., found to have been applicable. Complaint dismissed.

Kanotex Refining Co. v. A., T. & S. F. Ry. Co., 115 I. C. C. 559.

57. Carload shipment of kerosene from Arkansas City, Kans., to Des Moines, N. Mex., found to have been misrouted. Reparation awarded.

Kosmos Portland Cement Co. v. I. C. R. R. Co., 115 I. C. C. 561.

58. Rates on cement, in carloads, from Kosmosdale, Ky., to points in central territory found unduly prejudicial. Nonprejudicial rates prescribed.

Dame Furniture Co. v. C., N. O. & T. P. Ry. Co., 115 I. C. C. 566.

59. Rate on built-up native wood, in carloads, from Louisville, Ky., to Harri-man, Tenn., found unreasonable. Reparation awarded.

Blacker Elevator Co. v. U. P. R. R. Co., 115 I. C. C. 569.

60. Claim for refund of alleged overcharges on a carload shipment of potatoes from Gill, Colo., to Gardner, Kans., barred because complaint was not filed within two years from date of accrual of cause of action. Complaint dismissed.

Jackson Traffic Bureau v. A. & V. Ry. Co., 115 I. C. C. 570.

61. Combination rates on staves and headings, in carloads, from Winnsboro, La., to Jackson, Miss., found unreasonable. Reasonable joint rates prescribed for the future and reparation awarded.

Texas Co. v. B., S. L. & W. Ry. Co., 115 I. C. C. 572.

62. Rates charged on petroleum products, in carloads, shipped from Gates and Port Arthur, Tex., to Alamosa, Leadville, Monte Vista and Salida, Colo., found inapplicable. Refund of overcharges directed and complaint dismissed.

Chamberlin Furniture Co. v. Director General, 115 I. C. C. 575.

63. Rates charged on a carload shipment of chairs from Winston-Salem, N. C., and a less-than-carload shipment of blankets from Nashua, N. H., to Casper, Wyo., found to have been in excess of those applicable. Reparation awarded.

Peerless Woolen Mills v. A., T. & N. R. R. Corp., 115 I. C. C. 577.

64. Rates charged on cotton, any quantity, from Geiger, Ala., to Rossville, Ga., found inapplicable. Reparation awarded.

Consolidated Paper Co. v. N. Y. C. R. R. Co., 115 I. C. C. 579.

65. Reconsignment charges assessed on shipments of various commodities consigned to complainant at Monroe, Mich., found applicable and reasonable. Complaint dismissed.

Fertilizers from Texas Ports, 115 I. C. C. 582.

66. Proposed rates on import and inbound coastwise shipments of fertilizers from Texas Gulf ports to Shreveport, La., and points in the Shreveport group found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Underwriters Salvage Co. v. L. & N. R. R. Co., 115 I. C. C. 585.

67. Rates on sugar, in carloads, from Jacksonville, Fla., to New Orleans, La., found not unreasonable or otherwise unlawful. Complaint dismissed.

Slag from Birmingham Group Points, 115 I. C. C. 587.

68. Proposed restriction of application of rates on slag, in carloads, from Birmingham group points to Jacksonville, Fla., and beyond over the Louisville & Nashville found not justified. Proposed schedules ordered canceled and proceedings discontinued.

Friedlander Co. v. S. Ry. Co., 115 I. C. C. 589.

69. Rates on cotton-factory sweepings from Mobile, Ala., to Columbus, Ga., found not unduly prejudicial. Complaint dismissed.

Southern Mirror Co. v. S. Ry. Co., 115 I. C. C. 590.

70. Rates on imported plate glass, in carloads, from New York Harbor points to High Point and Winston-Salem, N. C., found unreasonable. Reasonable maximum rates prescribed and reparation awarded.

Mayo v. S. Ry. Co., 115 I. C. C. 595.

71. Rates charged on bituminous coal, in carloads, from various points in the Alabama coal field to Columbus, Ga., found not unreasonable or otherwise unlawful. Complaint dismissed.

Atmore Produce Co. v. M. S., B. & P. Ry., 115 I. C. C. 599.

72. Minimum weight applied to shipments of new potatoes from points in Alabama and Florida on the Muscle Shoals, Birmingham & Pensacola Railway to destinations in Kentucky, Ohio, Michigan, and other States between May 20 and June 30, 1923, found unreasonable. Reparation awarded.

73. Rates assailed on five carloads of potatoes from points in Florida on the Andalusia, Florida & Gulf Railway to destinations in Ohio found unreasonable. Reparation awarded.

Van Dusen & Baumberger Co. v. M. P. R. R. Co., 115 I. C. C. 603.

74. Shipments of gravel from Glencoe, Yeatman, and Jedburg, Mo., to Greenville, Ill., found to have been overcharged. Reparation awarded.

Staso Milling Co. v. M. & P. R. R. Co., 115 I. C. C. 605.

75. Rate on crushed slate, in carloads, from Whiteford, Md., and Slate Hill, Pa., to New Orleans, La., and Mobile, Ala., found not unreasonable but unduly prejudicial. Nonprejudicial rates prescribed.

Elimination of Grand Trunk Railway System, 115 I. C. C. 609.

76. Respondents' proposal to restrict rates on class traffic and various commodities, from Duluth, Minn., and several Michigan points to destinations on

the New York, New Haven & Hartford, so as not to apply in connection with the Grand Trunk by way of the Niagara frontier, found not in violation of the interstate commerce act. Order of suspension vacated and proceeding discontinued.

Iron and steel from Natchez and Vicksburg, 115 I. C. C. 612.

77. Proposed increased rate on iron and steel articles, in carloads, from Natchez and Vicksburg, Miss., to Shreveport, La., found justified. Order of suspension vacated and proceeding discontinued.

Grain and grain products, 115 I. C. C. 615.

78. Proposed increased rates on grain and grain products, in carloads, between points on the Spearman branch of the Panhandle & Santa Fe Railway and points in Kansas and Missouri found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Washington Building Lime Co. v. P. R. R. Co., 115 I. C. C. 618.

79. Rates on lime, in carloads, from Woodville, Ohio, to stations on the Western Maryland, in Baltimore, Md., east of Walbrook, found unreasonable and unduly prejudicial. Reparation awarded.

Transit privileges on grain and grain products, 115 I. C. C. 621.

80. Proposed cancellation of reference in Frisco's Kansas City, Mo.-Kans., transit tariff to Union Pacific joint tariff publishing rates on grain and grain products, in carloads, from Kansas points to Pittsburg, Kans., Joplin and Springfield, Mo., and Fort Smith, Ark., and intermediate points on the Frisco, which would result in increased rates on certain commodities, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Lynchburg Chamber of Commerce v. S. Ry. Co., 115 I. C. C. 625.

81. Carload of lumber shipped from Johnston, S. C., to Elizabeth, N. J., and reconsigned to the siding of the National Biscuit Co. at Elizabeth found not to have been misrouted, and rate assessed found not unreasonable.

82. Assessment of reconsignment charge found unreasonable. Reparation awarded.

Good Construction Co. v. N. & W. Ry. Co., 115 I. C. C. 629.

83. Rate on sand and gravel, in carloads, from Portsmouth, Ohio, to Williamson, W. Va., found unreasonable. Reasonable rate prescribed and reparation awarded.

National Tinsel Mfg. Co. v. C. & N. W. Ry. Co., 115 I. C. C. 631.

84. Rate on "tinsel" found applicable to, and reasonable for, the transportation of threads or strands of metal used in the manufacture of tinsel articles. Complaint dismissed.

Taylor Produce Co. v. A. C. L. R. R. Co., 115 I. C. C. 633.

85. Rates on potatoes, in carloads, from points in North Carolina and South Carolina on the Atlantic Coast Line Railroad to Kalamazoo, Jackson, Battle Creek, and Sturgis, Mich., found unreasonable and unduly prejudicial. Lawful basis of rates prescribed. Reparation denied.

86. Proposed increased and reduced rates on potatoes, in carloads, from points in North Carolina and South Carolina on the Atlantic Coast Line Railroad to destinations in central territory, found not justified. Suspended schedules ordered canceled without prejudice to the establishment of rates in conformity with the findings herein.

87. Fourth-section relief denied.

Amber Furniture Co. v. C. & N. W. Ry. Co., 115 I. C. C. 640.

88. Rates charged on less-than-carload shipments of furniture from points in Wisconsin to Chicago, Ill., found inapplicable. Refunds directed and complaint dismissed.

United Fig & Date Co. v. A. C. L. R. R. Co., 115 I. C. C. 643.

89. Rates on shelled peanuts, in carloads, from points in Alabama, Florida, Georgia, and South Carolina to Chicago, Ill., Milwaukee, Wis., Canton and Cleveland, Ohio, South Bend, Ind., and Dubuque, Iowa, and from Nashville, Tenn., to Chicago, found unreasonable. Reparation awarded. Former report, 101 I. C. C. 138, modified.

Ind. Chamber of Commerce v. A. A. R. R. Co., 115 I. C. C. 650.

90. Rates on bituminous coal, in carloads, from Ohio and the Inner Crescent to points in Indiana found not unreasonable or unduly prejudicial. Complaint dismissed.

Dallas Transfer Co. v. S. P. Co., 115 I. C. C. 658.

91. Charges assessed on two carloads of automobiles from Dallas, Tex., to Los Angeles, Calif., and the applicable two-for-one rule, found unreasonable on further hearing. Former report 91 I. C. C. 73 affirmed.

Swift & Co. v. G. N. Ry. Co., 115 I. C. C. 661

92. Rates on meat animals, in carloads, from points in Alabama to Moultrie, Ga., found not unreasonable; but the relationship of rates on hogs, in carloads, from southeastern Alabama to Moultrie, on the one hand, and Montgomery and Birmingham, Ala., on the other, found unduly prejudicial and preferential and unjustly discriminatory against interstate commerce. Method of removing such prejudice, preference, and discrimination prescribed. Findings in original report, 109 I. C. C. 733, affirmed.

Turpentine & Rosin Producers Asso. v. A. & V. Ry. Co., 115 I. C. C. 667.

93. Rates on naval stores from producing points in the southwestern group to destinations in central territory found unreasonable and unduly prejudicial; and to points in western trunk-line territory found unreasonable. Basis for reasonable and nonprejudicial rates prescribed. Reparation denied.

American Tar Products Co. v. C., R. I. & P. Ry. Co., 115 I. C. C. 677.

94. Rate charged on one carload of creosote oil from Fort Worth, Tex., to Woodward, Ala., found unreasonable. Reparation awarded.

Baehl & Co. v. C. of G. Ry. Co., 115 I. C. C. 679.

95. Rates charged on sand and gravel, in carloads, from Montgomery, Ala., to Fort Benning, Ga., found inapplicable. Defendant directed to refund overcharges. Complaint dismissed.

Indianapolis Board of Trade v. C., C. & St. L. Ry. Co., 115 I. C. C. 681.

96. Rate on grain, in carloads, from Tab, Ind., to Cincinnati, Ohio, and Louisville, Ky., found unreasonable. Reasonable rate prescribed for the future, and reparation awarded.

Armour Fertilizer Works v. W. P. R. R. Co., 115 I. C. C. 684.

97. Rates charged on muriate of potash, in carloads, from Salduro, Utah, to Chicago Heights, Ill., found inapplicable. Applicable rates found not unreasonable. Refund of overcharges directed and complaint dismissed.

Seaboard Live Stock Traffic Bureau v. A., C. & Y. Ry. Co., 115 I. C. C. 687.

98. Minimum carload weight from East Clinton, Ill., to Jersey City, N. J., on sheep and lambs originating at South Omaha, Nebr., found to have been unreasonable. Reparation awarded.

Bernstein-Nehmen & Co. v. G., C. & S. F. Ry. Co., 115 I. C. C. 691.

99. Charge for slatting stock cars for the movement of watermelons from points in Texas to St. Louis, Mo., found unreasonable, unjustly discriminatory, and unduly prejudicial, and additional charges upon certain of said cars for the transportation of slatting material found to have been assessed without tariff authority. Reparation awarded.

Case & Sons. v. P. R. R. Co., 115 I. C. C. 694.

100. Rates on agricultural limestone, in carloads, from Buffalo, N. Y., to Troy and Canton, Pa., found not unreasonable or otherwise unlawful. Complaint dismissed.

Berger v. P. R. R. Co., 115 I. C. C. 697.

101. Drayage charges incurred by complainant for draying interstate carload shipments of grapes from Manhattan Produce Yards, N. J., to Newark, N. J., found not the result of any violation by defendant of section 1 of the interstate commerce act. Complaint dismissed.

Rising Paper Co. v. N. Y., N. H. & H. R. R. Co., 115 I. C. C. 699.

102. Rates on wood pulp, in carloads, from Delano Junction, N. Y., and Great Works, Me., to Housatonic, Mass., found unreasonable. Reasonable rates for the future prescribed and reparation awarded.

Chess-Wymond Co. v. A. & V. Ry. Co., 115 I. C. C. 703.

103. Rates on oak staves and oak heading, in carloads, from points in Mississippi and Louisiana to destinations in California found not unreasonable or otherwise unlawful. Complaint dismissed.

Utah-Idaho Sugar Co. v. Director General, 115 I. C. C. 707.

104. Combination rates charged on coke, in carloads, from Benham, Ky., and Chattanooga, Tenn., to destinations in Utah and Idaho found applicable on certain shipments and inapplicable on other shipments. Reparation awarded.

Superior Coal Co. v. Director General, 115 I. C. C. 710.

105. Demurrage charges for detention at Akron, Ohio, of numerous carloads of bituminous coal shipped during Federal control from Chandler, Ohio, to Akron, refused by consignee and subsequently forwarded to Cleveland and Lorain, Ohio, found not unreasonable.

106. Reparation awarded on account of certain reconsignment and other charges collected either without tariff authority or for services not rendered.

Lynchburg Chamber of Commerce v. B. & A. R. R. Co., 115 I. C. C. 715.

107. Rate charged on newsprint paper, in carloads, from Millinocket, Me., to Lynchburg, Va., found not unreasonable, unjustly discriminatory, or unduly prejudicial. Revision of rates to comply with fourth section required. Complaint dismissed.

Federated Metals Corp. v. P. R. R. Co., 115 I. C. C. 719.

108. Rate charged on one carload of brass ingots from East Liberty (Pittsburgh), Pa., to Elmira, N. Y., found unreasonable. Reparation awarded.

Lynchburg Chamber of Commerce v. B. & O. R. R. Co., 115 I. C. C. 721.

109. Rates on small-arms ammunition, in less than carloads, from New York N. Y., and Baltimore, Md., to Lynchburg, Va., and on brick machinery, in carloads from Lancaster, Pa., to Deacon, Va., found not unreasonable or otherwise unlawful. Complaint dismissed.

Grant Chemical Co. v. L. V. R. R. Co., 115 I. C. C. 726.

110. Rate charged prior to December 29, 1924, on imported nitrate of soda, in carloads, from New York, N. Y., to Greensand, N. J., found not unreasonable but unduly prejudicial. Reparation denied, and complaint dismissed.

Wichita Chamber of Commerce v. Amer. Ry. Express Co., 115 I. C. C. 729.

111. Rates on milk and cream shipped by express in cans from points in New Mexico to Wichita, Kans., found not unreasonable. Complaint dismissed.

Knight & Kennett v. L. & N. R. R. Co., 115 I. C. C. 732.

112. Rates on cattle and hogs, in carloads, from National Stock Yards, East St. Louis, Ill., and from Louisville, Ky., to Key West, Fla., for export to Cuba found not unreasonable. Refund of overcharges directed. Complaint dismissed.

Kay County Gas Co. v. G., C. & S. F. Ry. Co., 115 I. C. C. 736.

113. Rate on petroleum crude oil, in tank-car loads, from Texon, Tex., to Texas City, Tex., for coastwise movement, found not unreasonable. Complaint dismissed.

Allen Mfg. Co. v. L. & N. R. R. Co., 115 I. C. C. 739.

114. Rates charges on molding sand, in carloads, from Rockport and Sandale, Ind., to Nashville, Tenn., found to be in excess of those applicable. Refund of overcharges directed and complaint dismissed.

Van Hart v. C., I. & W. R. R. Co., 115 I. C. C. 741.

115. Carload of coal from Plymouth, W. Va., to Greenfield, Ind., found overcharged. Refund directed and complaints dismissed.

Richmond Radiator Co. v. C. & N. W. Ry. Co., 115 I. C. C. 743.

116. Rates charged on shipments of defective or damaged radiators, bath tubs, sinks, and lavatories, from various points of origin to Uniontown, Pa., found applicable and not unreasonable. Complaint dismissed.

Bailey v. O. S. L. R. R. Co., 115 I. C. C. 745.

117. Rates on alfalfa meal from certain points in Idaho to Memphis, Tenn., in effect between October 1, 1923, and January 5, 1924, found not unreasonable or otherwise unlawful. Minimum weight in effect during the same period found unreasonable. Reparation awarded.

Kansas City Brick Co. v. C., R. I. & P. Ry. Co., 115 I. C. C. 750.

118. Rates on brick and hollow building tile from Vale, Mo., to Kansas City, Mo.-Kans., found not unreasonable or unduly prejudicial. Complaint dismissed.

Johnston v. A. C. L. R. R. Co., 118 I. C. C. 1.

119. Refrigeration charges on one carload of cucumbers from Mount Olive, N. C., to Chicago, Ill., found applicable and not unreasonable. Complaint dismissed.

Moore Shipbuilding Co. v. C., I. & W. R. R. Co., 118 I. C. C. 3.

120. Rates charged on marine-engine parts, in carloads, from Hamilton, Ohio, to Oakland, Calif., found applicable, but unreasonable. Reparation awarded.

Florence Chamber of Commerce v. S. Ry. Co. et al., 118 I. C. C. 7.

121. Rates on limestone rock, in carloads, from Margerum, Ala., to Dallas, Tex., found not unreasonable. Complaint dismissed.

Lynchburg Chamber of Commerce v. P. R. R. Co., 118 I. C. C. 11.

122. Rate on printing paper, in less than carloads, from Erie, Pa., to Lynchburg, Va., found not unreasonable or unduly prejudicial. Complainant not shown to have been damaged by any undue prejudice that may have existed. Complaint dismissed.

Beggs & Cobb v. A. & V. Ry. Co., 118 I. C. C. 13.

123. Rates on green salted hides, in carloads, from certain points in Mississippi and Alabama to Winchester, Mass., found unreasonable. Reasonable rates prescribed and reparation awarded. Fourth-section relief denied.

Johnston v. C. & W. C. Ry. Co., 118 I. C. C. 19.

124. Upon complaint seeking reparation because of failure properly to divert a carload of cucumbers shipped from Allendale, S. C., to Pittsburgh, Pa., and diverted in transit to New York, N. Y., *Found*: No violation of the interstate commerce act has been shown. Complaint dismissed.

Thompson, Weinman & Co. v. A. C. Ry. Co., 118 I. C. C. 21.

125. Rates on barytes, crude, lump, or jigged, in carloads, from Cartersville, Ga., to destinations in New York, New Jersey, Pennsylvania, Maryland, and Delaware, found not unreasonable or otherwise unlawful. Complaint dismissed.

Thornton-Claney Lumber Co. v. M. & O. R. R. Co., 118 I. C. C. 25.

126. Rate charged on one carload of lumber from Brooksville, Miss., to Chicago, Ill., found applicable and not unreasonable or otherwise unlawful. Complaint dismissed.

Jackson Traffic Bureau v. A. & V. Ry. Co., 118 I. C. C. 27.

127. Joint rates on alfalfa meal, in carloads, from points in Colorado, Nebraska, and Kansas to Jackson, Miss., found unreasonable to the extent that they exceeded or exceed the contemporaneous aggregate of intermediate rates to and from Memphis, Tenn. Reparation awarded.

Kingman Co. v. A. C. L. R. R. Co., 118 I. C. C. 31.

128. Carload of peppers shipped from Fort Myers, Fla., to Boston, Mass., and reconsigned to Chicago, Ill., found not misrouted. Complaint dismissed.

Miles Medical Co. v B. & O. R. R. Co., 118 I. C. C. 33.

129. Rates charged on drugs and medicines, in carloads, from Elkhart, Ind., to New York, N. Y., and Philadelphia, Pa., found not unreasonable or otherwise unlawful but found applicable during a certain period, and inapplicable during a certain other period. Refund of overcharges directed. Complaint dismissed.

N. W. Leather Co. Trust v. M. & O. R. R. Co., 118 I. C. C. 37.

130. Rates on green salted hides, in carloads, from Meridian, Miss., to Portville, N. Y., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

131. Fourth-section relief denied.

United Engineering & Foundry Co. v. B. & O. R. R. Co., 118 I. C. C. 43.

132. Rates on annealing boxes, rough castings, and rolling-mill rolls, in carloads, from Vandergrift, Pa., to Cleveland, Elyria, Canton, and Ashtabula, Ohio, found unreasonable. Reparation awarded.

McDonald Chocolate Co. v. B. E. R. R. Co., 118 I. C. C. 45.

133. Class rates applicable on candy and confectionery, in carloads and less than carloads, from Salt Lake City, Utah, to destinations on the Mississippi and Missouri Rivers, and to St. Paul, Minn., and Chicago, Ill., rate territories prior to August 1, 1925, found unreasonable and unduly prejudicial to the extent that they exceeded commodity rates contemporaneously applicable from San Francisco, Calif., to the same destinations. Reparation awarded. Rates in effect from and after that date found not unreasonable or unduly prejudicial.

Servidor Co. v. C., M. & St. P. Ry. Co., 118 I. C. C. 49.

134. Rates charged on four carloads of servidor doors from Milwaukee, Wis., to Seattle, Wash., found inapplicable. Reparation awarded.

El Dorado Refining Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 51.

135. Rates on refined oil from points in Kansas and Oklahoma to St. Francis, Kans., found unreasonable. Reparation awarded.

Sherman & Reed v. C., M. & St. P. Ry. Co., 118 I. C. C. 56.

136. Rate on empty acetylene-gas cylinders returned from Butte, Mont., to Seattle, Wash., found unreasonable. Reparation awarded.

Glidden Co. v. C. R. R. Co. of N. J., 118 I. C. C. 59.

137. Rates on linseed oil, in carloads, from New York, N. Y., New York lighterage points, and Philadelphia, Pa., to Cleveland, Ohio, and Chicago, Ill., found unreasonable. Reparation awarded and reasonable rates for the future established.

S. W. Milling Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 61.

138. Tariff rule published in compliance with a legislative enactment of the State of Missouri under which carload shipments of grain and grain products moving intrastate from Kansas City and St. Joseph, Mo., to other points in Missouri are permitted to be stopped in transit for the purpose of partly unloading found reasonable for interstate application on shipments from Kansas City, Kans., to points in Missouri, and failure of defendants to apply said tariff rule to such interstate shipments found unduly prejudicial. Undue prejudice ordered removed.

Bunte v. C., R. I. & P. Ry. Co., 118 I. C. C. 66.

139. Rates on bituminous coal, in carloads, from the Spadra and Greenwood groups, in western Arkansas, and the Oolagah and McAllester groups, in eastern Oklahoma, to Wichita and Hutchinson, Kans., not shown to have been or to be unreasonable. Complaint dismissed.

Cuthbert Cut Stone Co. v. St. L.-S. F. Ry. Co., 118 I. C. C. 69.

140. Rates on stone, in carloads, from Carthage, Mo., and the Bedford district in southern Indiana to Wichita, Kans., found not unreasonable or unduly prejudicial. Complaints dismissed.

Heinze Electric Co. v. B. & M. R. R., 118 I. C. C. 77.

141. Reparation denied on shipments from Lowell, Mass., to interstate destinations of electric automobile horns, in carloads and less than carloads, which moved prior to the general reduction in classification ratings thereon. Complaint dismissed.

Clinchfield Coal Corp. v. C., C. & O. Ry., 118 I. C. C. 79.

142. Rates on coal, in carloads, from Clinchfield, Dante, and Clinchco, Va., to Toledo and Toledo Dock, Ohio, for transshipment by vessel, found unduly prejudicial. Nonprejudicial rate relationship prescribed.

Rohan Co. v. Director General, 118 I. C. C. 83.

143. Rates on less-than-carload shipments of cheese from Burnett, Random Lake, Mayville, and Hartford, Wis., to Cincinnati, Ohio, during Federal control, made by adding the rates in designated tariffs to specified base rates, found

applicable. Adjustment of overcharges and undercharges directed and complaint dismissed.

Mangct Bros. Co. v. A. C. R. R. Co., 118 I. C. C. 85.

144. Rates charged on certain shipments of cotton which moved rail-water-and-rail from Opelousas and Bunkie, La., to destinations in New England and New York found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.

Frank Produce Co. v. Director General, 118 I. C. C. 88.

145. Charges assessed on shipments of mixed vegetables, in carloads, from industries on the Atchison, Topeka & Santa Fe and Pacific Electric at Los Angeles, Calif., and destined to Salt Lake City and Ogden, Utah, found applicable and not unreasonable. Complaint dismissed.

Tin Cans from Virginia, 118 I. C. C. 91.

146. Proposed increased rates on tin cans, in carloads, from Virginia points to destinations in Alabama, Florida, and the Mississippi Valley found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules in conformity with the views expressed herein.

Crown Willamette Paper Co. v. S. P. Co., 118 I. C. C. 95.

147. Rate charged on pulp wood, in carloads, from Reedsport, Oreg., to Camas, Wash., found not unreasonable. Complaint dismissed.

General Motors Truck Co. v. G. T. W. Ry. Co., 118 I. C. C. 99.

148. Rates charged on automobile trucks from Detroit, North Flint, Lansing, and Pontiac, Mich., Lima and Cleveland, Ohio, and Evansville and Marion, Ind., to Kansas City, St. Joseph, and Joplin, Mo., Omaha, Bayard, Lincoln, and Norfolk, Nebr., Des Moines, Chariton, and Sioux City, Iowa, and Wichita, Kans., found applicable. Complaints dismissed.

Railway Car Material, 118 I. C. C. 105.

149. Schedules proposing alternative rates on railway-car material, lower than the present applicable rates but with higher carload minima (a) from Chicago, Ill., and certain related points to St. Louis, Mo., and Mount Vernon and East St. Louis, Ill., and (b) between Mount Vernon, on the one hand, and East St. Louis and Belleville, Ill., and St. Louis, on the other hand, found justified in part. Order of suspension vacated as to some schedules. Other schedules ordered canceled without prejudice to the filing of new schedules conforming to the views herein expressed.

Columbia Mills v. D., L. & W. R. R. Co., 118 I. C. C. 112.

150. Defendant's failure or refusal to compensate complainant, out of the line-haul rates, for the services performed by the latter in switching carload shipments between points within its industrial plant at Minetto, N. Y., and the point of interchange with defendant at that place, and in checking, weighing, loading, and unloading less-than-carload shipments delivered to or forwarded from the plant in trap or ferry cars, not found to violate any provision of the interstate commerce act. Complaint dismissed.

Description of Missouri Group B territory, 118 I. C. C. 119.

151. Proposed modification of Missouri B territory so as to exclude therefrom points on the St. Louis-San Francisco Railway between St. Louis and Pacific, Mo., inclusive, which would result in increased rates on glass, sand, and other commodities from such points to destinations in Arkansas and certain other southwestern States found not justified. Suspended schedules ordered canceled, and proceeding discontinued.

Newsprint paper and poster paper, 118 I. C. C. 123.

152. Proposed increased rates on newsprint and poster paper from Camas, Wash., and Oregon City and West Linn, Oreg., to destinations in Washington, Oregon, and Idaho found justified. Order of suspension vacated and proceeding discontinued.

Rates, regulations, and practices of P. & P. U. Ry. Co., 118 I. C. C. 127.

153. Findings and order in connection with last report, 115 I. C. C. 469, prescribing joint rates and divisions thereof on traffic interchanged by the Peoria

& Pekin Union at Peoria or East Peoria, Ill., modified in certain respects. Other reports in these proceedings, 68 I. C. C. 412; 77 I. C. C. 43; and 93 I. C. C. 3.

Tanglefoot Co. v. N. Y. C. R. R. Co., 118 I. C. C. 131.

154. Carload ratings of sticky fly paper in official, southern, and western classifications, less-than-carload rating thereof in western classification, and rates applicable thereon from Grand Rapids, Mich., found not unreasonable or unduly prejudicial. Less-than-carload ratings thereof in official and southern classifications found not unreasonable in the past but unreasonable for the future.

Carload minimum weight on common brick, 118 I. C. C. 136.

155. Proposed increased minimum carload weight on common brick originating on the Pennsylvania and moving from and to points in central territory found not justified. Suspended schedules ordered canceled and proceeding discontinued.

S. Dak. Railroad Commissioners v. C. & N. W. Ry. Co., 118 I. C. C. 139.

156. Rates on hay from points in South Dakota to destinations in Iowa, Nebraska, Illinois, Wisconsin, and Minnesota found unreasonable. Reasonable basis of rates prescribed.

Parlor Frame Mfrs. Asso. v. A. A. R. R. Co., 118 I. C. C. 154.

157. Upon further hearing, findings in original report, 93 I. C. C. 506, that the carload rating on set-up wooden chair and lounge frames, loose or in packages, in official classification was not unreasonable or otherwise unlawful, and prescribing two and one-half times first class for less-than-carload shipments, in boxes or crates, in official classification, affirmed.

Montgomery Cotton Exch. v. L. & N. R. R. Co., 118 I. C. C. 157.

158. Former finding in this case, 112 I. C. C. 325, that rates charged on shipments of cotton, in any quantity, from stations south of Montgomery, Ala., concentrated and compressed at that point, and reshipped to Mobile, Ala., Pensacola, Fla., and New Orleans, La., were legally applicable, reversed as to shipments during certain periods, and such shipments found to have been overcharged. Refund of overcharges directed.

159. Former finding that the legally applicable rates on the above-described traffic were not unreasonable affirmed. Complaint dismissed.

Duluth Boiler Works v. A., T. & S. F. Ry. Co., 118 I. C. C. 161.

160. Rates assessed on riveted steel pipe, in carloads, from Duluth, Minn., to Howells, Calif., found unreasonable. Reparation awarded. Original report 92 I. C. C. 692, reversed in part.

Paragon Refining Co. v. A. & S. R. R., 118 I. C. C. 166.

161. Defendant's failure to provide by tariff publication for payment of mileage allowance on private tank cars moving in service over its line found unreasonable. Reasonable allowance prescribed and reparation awarded.

Smith Grape Juice Co. v. A. G. S. R. R. Co., 118 I. C. C. 169.

162. Upon further hearing regarding complainant's right to reparation on shipments covered by its complaint, findings that complainant is entitled to reparation on shipments moved subsequent to Federal control, and that shipments made during Federal control are without the commission's jurisdiction, affirmed.

163. Shipments moved prior to Federal control found without the commission's jurisdiction because claims thereon were barred prior to passage of the transportation act, 1920, under the then existing statute. Original report, 88 I. C. C. 569.

Crerar Clinch Coal Co. v. A. A. R. R. Co., 118 I. C. C. 171.

164. Rates charged on bituminous coal, in carloads, from Herrin, Ill., to Bannister, Ashley, North Star, and Ithaca, Mich., found applicable except on two cars. Those cars found overcharged. Reparation awarded.

165. Applicable rates found not unreasonable.

United Paperboard Co. v. G. & J. Ry. Co., 118 I. C. C. 175.

166. Reparation awarded to intervener on shipments of anthracite bird's-eye coal from Groups A, B, and C mines in Pennsylvania to Ondawa, N. Y., delivered

during the period February 1, 1922, to October 10, 1925, inclusive, on which charges were paid at rates found unreasonable in the previous reports in this proceeding, 83 I. C. C. 712, and 102 I. C. C. 502.

National Refining Co. v. L. & N. R. R. Co., 118 I. C. C. 177.

167. Shipments from Beattyville, Ky., to Findlay and Toledo, Ohio, and Petrolia, Ontario, found to have consisted of crude oil and reparation awarded to the extent that the charges collected exceeded those that would have accrued at the crude-oil rates.

Ward Bros. v. C. of G. Ry. Co., 118 I. C. C. 183.

168. Charges on a carload of watermelons shipped from Oliver, Ga., to Kansas City, Mo., and forwarded to Rock Island, Ill., not found to have been illegal. Complaint dismissed.

Forbes & Sons Piano Co. v. A. G. S. R. R. Co., 118 I. C. C. 185.

169. Findings in original report, 101 I. C. C. 74, that the rates charged on pianos, in carloads and less than carloads, from Hammond, Ind., and Steger and Oregon, Ill., to Birmingham, Ala., were not shown to have been unreasonable or unlawful, affirmed. Complaints in Nos. 17937 and 17147 dismissed.

Providence Fruit & Produce Exch. v. N. Y., N. H. & H. R. R. Co., 118 I. C. C. 190.

170. Rates on strawberries from certain points in North Carolina to Providence, R. I., found unreasonable, but not unduly prejudicial. Reparation awarded.

Parry & Co. v. B. M. Ry. Co., 118 I. C. C. 193.

171. Complaint alleging overcharges on shipments of lumber in carloads from points in North Carolina to various destinations dismissed for lack of sufficient proof.

Va. Chamber of Commerce v. A. A. R. R. Co., 118 I. C. C. 195.

172. Upon reargument, finding in former report 92 I. C. C. 722, that class rates from western trunk-line, central, and trunk-line territories, and rates on various commodities, in carloads, from the same territories and from the Ohio River crossings and New Orleans, La., to Virginia, Minn., are not unreasonable or unduly prejudicial, affirmed.

Hubbard v. O. S. L. R. R. Co., 118 I. C. C. 202.

173. Shipments of potatoes from Grace, Idaho, to Los Angeles, Calif., found misrouted. Reparation awarded.

Birmingham News Co. v. A., B. & A. Ry. Co., 118 I. C. C. 205.

174. Rates on newsprint paper, in carloads, from Berlin, N. H., to Birmingham, Ala., found unreasonable and unduly prejudicial. Reparation awarded. Fourth-section relief denied. Undue prejudice ordered removed.

Russell v. G. T. W. Ry. Co., 118 I. C. C. 209.

175. Rates on anthracite coal, in carloads, from Rahn No. 11 Colliery, Pa., and Lansford Colliery, Pa., to Elkhart, Ind., reconsigned to Edwardsburg, Mich., found not unreasonable. Complaint dismissed.

McEwing & Thomas Clay Products Co. v. C. & E. I. Ry. Co., 118 I. C. C. 211.

176. Rates charged on brick shipped since July 1, 1923, from Albion, Ill., to St. Louis, Mo., and other destinations, found applicable. Complaints dismissed.

Richfield Oil Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 214.

177. Rate on gasoline, in tank-car loads, from Los Angeles, Calif., to Reno, Nev., found unreasonable. Reparation awarded.

Jackson Traffic Bureau v. A. & V. Ry. Co., 118 I. C. C. 217.

178. Rates on fertilizer and fertilizer materials, in carloads, from Jackson, Miss., to destinations in Arkansas and Louisiana found not unreasonable or otherwise unlawful. Complaints dismissed.

Teague Hardware Co. v. C., B. & Q. R. R. Co., 118 I. C. C. 221.

179. Rates charged on bale ties and woven and barbed wire fencing, in carloads, from Sterling, Ill., to Montgomery, Ala., found to have been unreasonable and unduly prejudicial prior to October 15, 1924. Reparation awarded. Present rates found not unreasonable or otherwise unlawful. Fourth-section relief denied.

Florence Chamber of Commerce v. N. O. & N. E. R. R. Co., 118 I. C. C. 228.

180. The Southern Railway system FX3 concurrence found not to be sufficient to make the Northern Alabama Railway, one of the Southern system lines, not specifically shown as a concurring carrier therein, a party to the tariff of the St. Louis & Tennessee River Packet Company, the originating line.

181. The St. Louis & Tennessee River Packet Company found to have misrouted shipments of cotton from Tennessee River landings between Florence, Ala., and Paducah, Ky., to New Orleans, La. Reparation awarded.

Bradley & Woertz v. I. C. R. R. Co., 118 I. C. C. 233.

182. Rate on cereal beverages, in carloads, from St. Louis, Mo., to Atlanta, Ga., found not unreasonable or unduly prejudicial. Complaint dismissed.

183. Fourth-section relief denied.

Class Rates from Wyo. to Nebr. and S. Dak., 118 I. C. C. 237.

184. Proposed increased class rates between points in Wyoming, on the one hand, and Nebraska and South Dakota, on the other hand, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Ark. Jobbers & Mfrs. Asso. v. A., T. & S. F. Ry. Co., 118 I. C. C. 238.

185. Rates on hay, in carloads, from points in Texas differential territory and New Mexico to points in southern Arkansas and northern Louisiana found unreasonable, unduly prejudicial, and unjustly discriminatory against interstate commerce. Reasonable and nonprejudicial rates prescribed for the future.

Colgate & Co. v. P. R. R. Co., 118 I. C. C. 243.

186. Rates on soap, soap powder, and cleaning, cleansing, and scouring compounds, in less than carloads, from Jersey City, N. J., to points in Kentucky, Tennessee, and Georgia, Cairo, Ill., and Evansville, Ind., found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.

Automatic train-control devices, 118 I. C. C. 250.

187. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

188. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Utah-Idaho Sugar Co. v. C., R. I. & P. Ry. Co., 118 I. C. C. 256.

189. Reparation denied on shipments of sugar, in carloads, eastbound from Utah and Idaho to destinations west of the Mississippi River, and in Minnesota, Wisconsin, and Michigan. Certain rates found not unreasonable. Complaints dismissed.

Class rates from Gary, 118 I. C. C. 263.

190. Proposed increased class rates between Gary, Ind., and Indiana and Michigan points over Elgin, Joliet & Eastern Railway, found justified. Order of suspension vacated.

Automatic train-control devices, 118 I. C. C. 265.

191. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

192. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Huber v. G. & F. Ry., 118 I. C. C. 282.

193. Failure of defendant Southern Railway to transmit promptly diversion order to its connection found to have damaged complainant. Reparation awarded.

Crook Son & Co. v. W. Ry. Co., 118 I. C. C. 285.

194. Rate on logs, in carloads, from Adrian, Mich., to Hicksville, Ohio, found unreasonable. Reparation awarded.

Lynchburg Chamber of Commerce v. S. A. L. Ry. Co., 118 I. C. C. 287.

195. Carload of lumber shipped from Poston, S. C., to Spartanburg, S. C., over an interstate route found to have been overcharged and misrouted. Reparation awarded.

Chase & Co. v. A. C. L. R. R. Co., 118 I. C. C. 289.

196. Charges collected on a carload of citrus fruit, in full-tank refrigerator car, from Frostproof, Fla., to Waycross, Ga., reconsigned to Mobile, Ala., found applicable and not unreasonable. Complaint dismissed.

Paris Flouring Co. v. N. Y., C. & St. L. R. R. Co., 118 I. C. C. 291.

197. Rate charged on various carloads of bulk corn shipped from Blue Island and Chicago, Ill., and Hammond, Ind., to points in the State of Maine not shown to have been unreasonable. No damage shown on account of any undue prejudice that may have existed. Complaint dismissed.

Smolin & Gumbiner v. P. R. R. Co., 118 I. C. C. 293.

198. Charges on a shipment of horse hair from Philadelphia, Pa., to Chicago, Ill., found to have been applicable. Complaint dismissed.

Depreciation charges of telephone companies, 118 I. C. C. 295.

199. Proceedings instituted under paragraph (5) of section 20 of the interstate commerce act, as amended February 28, 1920, which requires the commission as soon as practicable to prescribe, for carriers subject to the act, the classes of property for which depreciation charges may properly be included under operating expenses, and the percentages of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose.

200. With the exception of land and grading, most property units which make up the plant of a railroad or telephone company are gradually worn out in operation or are abandoned from time to time in favor of better substitutes.

201. The cost of property thus consumed or abandoned is plainly a part of the cost of rendering service and the accounts should conform to and adequately record this fact.

202. The contention that the retirements of most units of a large composite railroad or telephone property tend to equalize—i. e., become the same in amount from year to year—is not adequately supported by data of record. The evidence indicates that the opposition to depreciation accounting is based partly on a desire to adjust retirement charges from year to year in accordance with financial needs.

203. The cost of rendering service involved in the consumption or abandonment of depreciable units of property is not adequately recorded when no account is taken of this cost prior to the time of retirement of such units. An adequate record requires proportionate, periodical charges—i. e., depreciation charges—throughout the service lives of the units.

204. The depreciation reserve is a record of the undoubted fact that the service lives of existing depreciable property units have to a certain extent been consumed.

205. Depreciation accounting is a necessary measure of self-protection to the carriers, in view of the decisions of the Supreme Court of the United States to the effect that accrued depreciation must be deducted in determining the rate base.

206. All things considered, depreciation accounting in the long run is less burdensome than retirement accounting to patrons and investors. It conforms to the principles of conservative and constructive finance.

207. Future service lives can be estimated with sufficient accuracy, subject to public supervision and to modification and correction from time to time, to meet the needs of depreciation accounting.

208. No good purpose is served, so far as depreciation accounting is concerned, by attempting to distinguish between present and future patrons and their interests. The purpose of depreciation accounting is to charge the cost of current consumption of property in service against the current users of the property. But the method of spreading such cost over a period subsequent to the retirement of the property is available for use in emergencies.

209. The need for depreciation accounting is emphasized by the provisions of section 15a of the interstate commerce act relative to the recapture by the Government of excess income and by the existing situation with respect to the public regulation of both steam railroad and telephone companies.

210. Depreciation accounting is supported by prior decisions of the commission in valuation proceedings, by decisions of the United States Supreme Court, and by the decisions of other courts and of Federal and State commissions. It is also in general accord with the provisions which at the present

time are embodied in the accounting classifications of steam railroad companies and telephone companies and which were included in those classifications when section 20 of the act was amended.

211. The provisions of paragraph (5) of section 20 of the act specifically empower the commission to require and prescribe the amount of depreciation charges. The general power to prescribe a uniform system of accounts also implies and includes power to require accounting for depreciation.

212. Telephone property, although used largely for local business, is subject to Federal regulation when it is subject to interstate use.

213. Depreciation accounting for telephone companies, classes A, B, and C, is practicable, but the determination of depreciation percentages for the various classes of telephone property is a task as to which the commission may well avail itself of the cooperation, services, records, and facilities of State commissions, under the provisions of paragraph (3) of section 13 of the interstate commerce act.

214. Depreciation is the loss in service value not restored by current maintenance other than extraordinary repairs and incurred in connection with the consumption or prospective retirement of property in the course of service from causes against which the carrier is not protected by insurance, which are known to be in current operation, and whose effect can be forecast with a reasonable approach to accuracy.

215. Depreciation expense is based upon the original cost of the property in question to the accounting company, and depreciation accounting requires an analysis of the investment and apportionment of appropriate amounts to the primary accounts covering depreciable property, under road and equipment for steam railroads and under fixed capital for telephone companies. The accounts of the steam railroad companies in general now furnish no adequate record of property costs, but the deficiency may be supplied, with sufficient accuracy for the purposes of depreciation accounting, by appropriate use of the inventories of our Bureau of Valuation. Rules prescribed accordingly for the distribution of the investment account of steam railroads. It appears that the investment accounts of telephone companies are, in general, sufficiently adapted to such accounting; but if it should develop that they are not so adapted, this matter can then be dealt with.

216. The total expense of depreciation in connection with any unit of property is its service value determined by taking into consideration ledger value, net salvage value, and extraordinary repairs, as these terms are defined in the report. The cost of removing property or recovering salvage at time of retirement should be deducted in determining net salvage value. The retirement of continuous structures as fences, snowsheds, etc., and of certain other units of property such as equipment, is postponed either materially or indefinitely by the application of piecemeal renewals or rebuilding programs, both of which are termed in the report "extraordinary repairs." It is essential to a properly comprehensive system of depreciation accounting that provision be made in the reserve for such extraordinary repairs.

217. Property once acquired should remain in the plant account at its cost until it is finally abandoned or is put to a new use different from that for which it was originally installed.

218. The sinking-fund and straight-line methods of accounting for depreciation compared and for reasons stated the latter approved.

219. The various classes of telephone and steam railroad property considered and their depreciable nature discussed. Classes of property found subject to depreciation specified.

220. The unit and group plans of accounting for depreciation compared and the latter approved. Groups of property and reserves applicable thereto should correspond with the primary accounts in road and equipment of steam railroads and of fixed capital of telephone companies, including improvements on leased railway property. Operating companies must also account for depreciation charges on leased property.

221. Impossible to prescribe uniform depreciation percentages for the various classes of depreciable property, applicable to all companies alike. Method of determining depreciation percentages for individual companies are prescribed, cooperation with the State commissions in the supervision of this matter being provided for in the case of telephone companies. Both classes of companies required to keep adequate property records and maintain in convenient and accessible form engineering data bearing upon prospective service lives.

222. Some classes of property are of such a character that it is not practicable to keep individual unit costs. In determining the debits and credits to the various accounts under depreciation accounting, amounts for specific units to be used so far as practicable; but where that is impracticable average amounts to be used.

223. While certain causes of the retirement of property are not factors to be included in the estimate of depreciation charges, all losses at time of retirement required to be charged to the depreciation reserve, with provisions for compensating adjustments where necessary.

224. The amount of accrued depreciation not previously accounted for by steam railroads, as of the date depreciation accounting for fixed property becomes effective, required to be computed and shown in the accounts in accordance with a prescribed method of adjustment.

225. The cost of extraordinary repairs when made and the service value of property when retired required to be charged to the appropriate primary accounts under maintenance expenses and concurrently corresponding amounts released from the depreciation reserve to special credit accounts provided for that purpose under maintenance expenses.

226. Each carrier required to include in its annual reports to the commission a sworn statement showing by primary accounts the extent to which ordinary maintenance has been neglected or deferred.

227. Depreciation accounting, as prescribed in the report, ordered to become effective January 1, 1928.

Service on K. O. & G. Ry., 118 I. C. C. 412.

228. Upon investigation found, that through the use of its right of way, tracks, and other facilities, in furnishing transportation and car service to the Bromide Company and refusing similar service and enjoyment of these or similar facilities to Dolese Brothers, upon request, respondent subjects the latter company to undue prejudice and gives to the former company undue preference. Undue prejudice and preference required to be removed.

Cotton Linters and Cottonseed-Hull Fiber or Shavings, 118 I. C. C. 419.

229. Proposed changes in rates on cotton linters and cottonseed-hull fiber or shavings from the Southwest to Missouri, Mississippi, and Ohio River crossings, and northern, eastern, and western points found not justified. Suspended schedules ordered canceled.

Okla. Corporation Commission v. Southern Railway Co., 118 I. C. C. 439.

230. On further consideration, prior report and order, 98 I. C. C. 183, modified so as to provide that the rates to be applied to cottonseed and related articles transported in carloads between points west of the Mississippi River on the St. Louis Southwestern Railway and Memphis, Tenn., handled by that carrier over a line of the Chicago, Rock Island & Pacific Railway between Memphis and Brinkley, Ark., under a trackage arrangement, shall not exceed rates based upon the appropriate single-line scales prescribed in the prior report, applied to the distances, determined as provided in that report, between the respective points west of the river and Bridge Junction, Ark., plus bridge or ferry tolls not exceeding 2 cents per 100 pounds for the river crossing at Memphis.

Eshelman & Sons v. Director General, 118 I. C. C. 441.

231. Upon further hearing defendants' transit rules, regulations, and practices in their application to cottonseed meal shipped from Arkansas, the Mississippi Valley, and the Southeast to Lancaster and York, Pa., there manufactured into mixed feed, and the mixed feed shipped to destinations in New England and trunk-line territories and to points in the States of Maryland, Virginia, North Carolina, and South Carolina, found unreasonable and unduly prejudicial. Reparation awarded and reasonable rates prescribed for the future.

232. Findings of former report in No. 12996, 87 I. C. C. 285, as to overcharges affirmed subject to certain corrections and modifications. Former report in No. 12366, 85 I. C. C. 578.

Peyton Packing Co. v. A. E. R. R. Co., 118 I. C. C. 452.

233. Findings in original report, 100 I. C. C. 4, as to reasonable rates on cottonseed cake, meal, hulls, and oil, from Calxico and El Centro, Calif., to El Paso, Tex., modified.

234. Rates on livestock from points in the Texas Panhandle on the Fort Worth & Denver City Railway to El Paso found properly based on distances over the route of the line named, the Chicago, Rock Island & Pacific, and the former El Paso & Southwestern.

Bailey Co. v. I. C. R. R. Co., 118 I. C. C. 455.

235. Upon further consideration rates charged on imported rattan furniture in bundles, shipped from Seattle, Wash., to Cleveland, Ohio, found to have been illegal. Reparation awarded. Findings in original report, 104 I. C. C. 255, reversed.

Apache Powder Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 457.

236. Rates on sulphuric acid, in carloads, from El Segundo and Nadeau, Calif., and points taking the same rates, to Curtiss, Ariz., found unreasonable and unduly prejudicial since April 1, 1923. Reasonable rate prescribed for the future and reparation awarded.

237. Rate on sawdust, in carloads, from Los Angeles, Calif., and points taking the same rates, to Curtiss, Ariz., since April 7, 1923, found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Freehold Lumber Co. v. C. & O. Ry. Co., 119 I. C. C. 463.

238. Rates on lumber, in carloads, from Flinn, Va., to certain destinations in central, trunk-line, and New England territories found not unreasonable, but unduly prejudicial. Original report, 92 I. C. C. 699, modified. Undue prejudice ordered removed.

Switching charges at K. C. Ry. Mines, 118 I. C. C. 468.

239. Proposed switching charges at mine sidings on the Kanawha Central found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Petroleum oil and its products, 118 I. C. C. 471.

240. Proposed rates on petroleum and its products, in carloads, from points in Texas, Oklahoma, and Arkansas to Vicksburg and Natchez, Miss., and other Mississippi River crossings found justified with certain exceptions. Suspended schedules ordered canceled without prejudice.

United Fig & Date Co. v. A. C. L. R. R. Co., 118 I. C. C. 475.

241. Upon further consideration, rates on shelled peanuts, in carloads, from Nashville, Tenn., to Chicago, Ill., found unreasonable. Report on reargument, 115 I. C. C. 643, modified.

Cheney Pulp & Paper Co. v. A., C. & Y. Ry. Co., 118 I. C. C. 477.

242. Fifth-class rates applicable on wet rag pulp, in carloads, from Franklin, Ohio, to points in official territory found unreasonable. Reasonable rates prescribed.

Import iron and steel from Gulf ports, 118 I. C. C. 482.

243. Original findings (1) that the proposed increased rate on iron and steel articles, in carloads, imported from New Orleans, La., and other Gulf ports, excluding Texas Gulf ports, to St. Louis, Mo., and its restriction to lines east of the Mississippi River, and proposed increased rates on those articles from New Orleans to Little Rock and Pine Bluff, Ark., had been justified, and (2) that the proposed increased rates on iron and steel articles, imported from Texas Gulf ports to St. Louis, to points in Oklahoma and Kansas, and to Little Rock and Pine Bluff, and proposed restriction of import class rates so that fifth-class rates will not apply on iron and steel articles from those points to the destinations involved had not been justified, affirmed upon further consideration. Reasonable rates prescribed from Texas Gulf ports for the future. Former report, 115 I. C. C. 373.

Class and commodity rates between points on H. C. Ry., 118 I. C. C. 489.

244. Proposed increase of 15 per cent in class and commodity rates between points on the Hawaii Consolidated Railway, Limited, found justified.

245. Proposed increase in loading and unloading charge at Kuhio wharf found not justified, and suspended schedules ordered canceled, without prejudice to right of carrier to establish the rate found justified.

Central Steel Co. v. P. R. R. Co., 118 I. C. C. 497.

246. Rates charged on bar steel, in carloads, from Massillon, Ohio, to Swissvale, Pa., found unreasonable. Reparation awarded.

Connersville Lumber Co. v. L. E. & W. R. R. Co., 118 I. C. C. 499.

247. Rates on bituminous coal, in carloads, from Plymouth and Shrewsbury, W. Va., to Connersville and New Castle, Ind., found not unreasonable. Complaint dismissed.

Scoular-Bishop Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 501.

248. One carload of sacked oats and corn chop shipped from Superior, Nebr., to Roswell, N. Mex., and reconsigned to Carlsbad, N. Mex., found to have been overcharged. Refund directed. Complaint dismissed.

Amer. Sumatra Tobacco Co. v. A. C. L. R. R. Co., 118 I. C. C. 503.

249. Rate charged on manure, in carloads, from New Orleans, La., to Havana and Hinson, Fla., found unreasonable. Reparation awarded.

Liberty Cooperage & Lumber Co. v. P. R. R. Co., 118 I. C. C. 505.

250. Rate on logs, in carloads, from Arcola, Ind., to Montpelier, Ohio, found unreasonable. Reparation awarded.

Lehigh Portland Cement Co. v. B. S. & K. R. Ry. Co., 118 I. C. C. 507.

251. Rates charged on six carloads of cement shipped from Fordwick, Va., to Ivyton, Royalton, and West Royalton, Ky., two of which were reshipped to Paintsville, Ky., found inapplicable. Reparation awarded.

Strange-Maguire Paving Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 509.

252. Rate on asphalt, in carloads, from Richmond, Calif., to Delta, Colo., found unreasonable. Reparation awarded.

Crook Son & Co. v. N. Y. C. R. R. Co., 118 I. C. C. 512.

253. Rates on logs, in carloads, from Adrian, Grosvenor, and Pittsford, Mich., to Hicksville, Ohio, found unreasonable. Reparation awarded.

Jackson Traffic Bureau v. I. C. R. R. Co., 118 I. C. C. 515.

254. Rate charged on a carload of coffin material from Jackson, Miss., to New Orleans, La., found inapplicable. Applicable rate found not unreasonable. Reparation awarded.

Transcontinental Oil Co. v. B. & O. R. R. Co., 118 I. C. C. 518.

255. Rates on gasoline and naphtha, in carloads, from Beckett, Wilson, Bristow, Okmulgee, and Tulsa, Okla., to Blue Creek, W. Va., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

Lynchburg Chamber of Commerce v. S. Ry. Co., 118 I. C. C. 523.

256. Carload of lumber shipped from Orangeburg, S. C., to Leesburg, Va., found not misrouted and rate charged found not unreasonable or otherwise unlawful. Complaint dismissed.

E-Z Opener Bag Co. v. P. R. V. R. R. Co., 118 I. C. C. 524.

257. Rates charged on cordwood, in carloads, from Twin and Crosby, Miss., to Braithwaite, La., found unreasonable. Reparation awarded.

Smith Oil & Refining Co. v. C., M. & St. P. Ry. Co., 118 I. C. C. 527.

258. Rate on refined petroleum oil, in tank-car loads, from Reno, Pa., to Rockford, Ill., found unreasonable and unlawful. Reparation awarded.

Bowman Dairy Co. v. Amer. Ry. Exp. Co., 118 I. C. C. 529.

259. Rate charged on two carloads of milk in 10-gallon cans from Mason, Mich., to Chicago, Ill., found applicable but unreasonable. Reparation awarded.

Ayrshire Coal Co. v. S. Ry. Co., 118 I. C. C. 531.

260. Upon reargument former finding that the practices of defendant during the period September 1, 1922, to March 31, 1923, in connection with the distribution of coal cars to certain mines operated by complainants in the State of Indiana were not unreasonable or unduly prejudicial, affirmed. Former report 96 I. C. C. 161.

Jackman v. A., T. & S. F. Ry. Co., 118 I. C. C. 547.

261. Rates on sand, in carloads, from Lawrence, Kans., to destinations within a radius of 150 miles east of Kansas City, Mo., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future.

Automatic train-control devices, 118 I. C. C. 555.

262. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

263. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Jackman v. A., T. & S. F. Ry. Co., 118 I. C. C. 560.

264. Rate on sand, in carloads, from Lawrence, Kans., to Kansas City, Mo.-Kans., found unreasonable and unduly prejudicial.

Toberman, Mackey & Co. v. C., C. & O. Ry., 118 I. C. C. 565

265. Reconsignment charge assessed at St Paul Va., on interstate shipments of hay, in carloads, found applicable and not unreasonable or otherwise unlawful. Complaint dismissed.

Watt Mining Car Wheel Co. v. B. & O. R. R. Co., 118 I. C. C. 567.

266. Rate on steel plates and bars from Rankin, Pa., to Barnesville, Ohio, found unreasonable. Reparation awarded.

Carr v. Director General, 118 I. C. C. 569.

267. Carload shipments of dressed granite from Barre, Montpelier, Northfield, and Waterbury, Vt., to various destinations in Ohio, Indiana, Illinois, and Michigan not shown to have been overcharged. Complaints dismissed.

Altitude Petroleum Co. v. F. W. & D. C. R. R. Co., 118 I. C. C. 572.

268. Rates on gas oil in tank-car loads from Iowa Park and Electra, Tex., to Kassel, La., found not unreasonable. Shipments found to have been misrouted. Reparation awarded.

Nashville Machine & Supply Co. v. L. & N. R. R. Co., 118 I. C. C. 577.

269. Rate on wrought-iron pipe, in carloads, from Bowling Green, Ky., to Florence, Ala., found unreasonable. Reasonable rate prescribed and reparation awarded.

Milne Lumber Co. v. M. C. R. R. Co., 118 I. C. C. 580.

270. Demurrage charges collected on a carload of lumber at Detroit, Mich., originating at Linville, La., found to have been in excess of those applicable. Refund of overcharge directed and complaint dismissed.

Amer. Sumatra Tobacco Co. v. A. C. L. R. R. Co., 118 I. C. C. 583

271. Rates on charcoal, in carloads, from Gaskins Siding, Fla., to Amsterdam and Wataga, Ga., found unreasonable and unduly prejudicial but not in violation of the long-and-short-haul provision of the fourth section. Reparation awarded.

Minnesota-Dakota Transit Millers v. A. A. R. R. Co., 118 I. C. C. 585.

272. Transit charges at points on the Great Northern and Northern Pacific in addition to rates on grain and grain products from Minnesota, North Dakota, and South Dakota, and the products shipped to Chicago, Ill., Milwaukee, Wis., St. Louis, Mo., and points east thereof, not found unreasonable or unduly prejudicial.

273. Transit charges at points on the Minneapolis, St. Paul & Sault Ste. Marie in addition to rates on grain and grain products from and to the same points not found unreasonable, but unduly prejudicial to complainant's members and unduly preferential of competitors at other points on lines of the same defendant west, east, and south of Minneapolis or Duluth, Minn. Undue prejudice ordered removed.

274. Proposed transit charges at points on the Great Northern and Northern Pacific west of Minneapolis on grain from Montana, North Dakota, South Dakota, and Minnesota found justified, without prejudice to different conclusions which may be reached in a more comprehensive investigation.

275. Proposed transit charges at points on the Chicago, Milwaukee & St. Paul west of Minneapolis on grain from Montana, North Dakota, South Dakota, and Minnesota while contemporaneously according free transit service on grain

from the same origin territory at other points on its lines, found not justified and required to be canceled.

Hope Engineering & Supply Co. v. M. P. R. R. Co., 118 I. C. C. 598.

276. Rates on wrought-iron pipe, in carload, from Youngstown, Ohio, to destinations in Louisiana found unreasonable. Reparation awarded.

White Provision Co. v. A., B. & A. Ry. Co., 118 I. C. C. 601.

277. Rates on cattle and hogs, in carloads, from Chicago and East St. Louis, Ill., St. Louis, Kansas City, and St. Joseph, Mo., Omaha, Nebr., Fort Worth, Tex., and Oklahoma City, Okla. to Atlanta and Moultrie, Ga., and from Chicago to Birmingham, Ala., Jacksonville, Fla., Chattanooga, Knoxville, and Nashville, Tenn., found unreasonable. Reasonable rates prescribed.

Western Bridge & Construction Co. v. St. L.-S. F. Ry. Co., 118 I. C. C. 607.

278. Storage charges assessed on one carload of cypress bridge piling shipped from Cardwell, Mo., and stored on the carrier's right of way at Clarks, Nebr., found inapplicable. Waiver of same directed and complaint dismissed.

Automatic train-control devices, 118 I. C. C. 611.

279. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

280. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Automatic train-control devices, 118 I. C. C. 622.

281. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

282. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Standard Oil Co. v. T. & P. Ry. Co., 118 I. C. C. 627.

283. Rates on shipments of iron and steel pipe, in carloads, from points in Louisiana to destinations in the El Dorado and Smackover districts of Arkansas found to have been unreasonable. Reparation awarded.

Thomas Motor Co. v. A., T. & S. Fe Ry. Co., 118 I. C. C. 631.

284. Rates on automobiles, in carloads, from Lansing and Detroit, Mich., and Springfield, Ohio, to Santa Fe, N. Mex., found not unreasonable, unjustly discriminatory, unduly prejudicial, or otherwise unlawful. Complaint dismissed.

Chicago Gravel Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 633.

285. Interstate rates on sand, gravel, and crushed stone, in carloads, from producing points in Zone I in Illinois and certain producing points in Zone II in Illinois and Wisconsin to destinations in the Chicago, Ill.-Gary, Ind., switching district and other destinations in northern Illinois, southern Wisconsin, and eastern Iowa found not unreasonable or unduly prejudicial, except that such rates to the district are found unduly prejudicial to complainants and unduly preferential of producers of sand, gravel, crushed stone, and slag within the Chicago district, and the interstate rates assailed, from Joliet, Ill., are found unduly prejudicial to complainants and unduly preferential of producers of slag at that point.

286. Interstate rates on like traffic from producing points in Zones II and III in Indiana, including Summit Grove, Ind., found unduly prejudicial to such Indiana producers and unduly preferential of certain producers in Illinois.

287. Nonprejudicial and nonpreferential rates prescribed for the future. Reparation denied.

288. Failure and refusal of the Milwaukee to absorb on this traffic switching charges of its connecting lines at Elgin, Ill., and Racine, Wis., found not unduly prejudicial.

289. Proposed increases in the interstate rates on sand, gravel, and crushed stone within the Chicago district and from the district to destinations just outside found not justified except as indicated. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein.

290. No finding made with respect to the allegation of unjust discrimination against interstate commerce in No. 17817, Sub-No. 2, as the Illinois Commerce Commission is approving for intrastate application the same basis as is herein approved for interstate application.

Routing Cement from Kansas, Missouri, and Oklahoma, 118 I. C. C. 657.

291. Restrictions in the routing of cement from points in the Kansas gas belt and Dewey, Okla., to certain destinations in Oklahoma found not justified. Suspended schedules ordered canceled.

Bender Iron & Supply Co. v. K. C. S. Ry. Co., 118 I. C. C. 661.

292. Rates on shipments of iron pipe and oil-well supplies, in carloads, from and to points in Arkansas and Louisiana and from Thornton, Tex., to Louann, Ark., found to have been unreasonable. Reparation awarded.

National Silica Co. v. W. Ry. Co., 118 I. C. C. 669.

293. Rates on imported flint brick, in carloads, from New York, N. Y., and Baltimore, Md., to Oregon, Ottawa, and Wedron, Ill., found not unreasonable or otherwise unlawful. Rates on imported flint pebbles, in carloads, from and to the same points found unreasonable. Reasonable rates prescribed and reparation awarded.

United States Industrial Alcohol Co. v. C. & N. W. Ry. Co., 118 I. C. C. 674.

294. Policing charge assessed on carload shipments of denatured and wood alcohol at Chicago, Ill., designed to cover the cost of protection against pilferage, found not applicable. Reparation awarded.

295. The application of said charge on carload shipments of ethyl alcohol found not unreasonable.

United States v. Director General, 118 I. C. C. 677.

296. Reparation awarded to complainant upon interstate shipments which moved subsequent to November 23, 1921, to and from Lake Denmark and Picatinny, N. J., and on which charges were paid at the class rates found unreasonable in the previous report, 80 I. C. C. 143.

Gugenheim-Goldsmith Co. v. G., H. & S. A. Ry. Co., 118 I. C. C. 681.

297. Upon further consideration, former report, 113 I. C. C. 459, modified to find that the rate on bananas and coconuts, in straight or mixed carloads, from New Orleans, La., to San Antonio, Tex., was unreasonable on and after September 25, 1922.

Keokuk Shippers' Asso. v. A., T. & S. F. Ry. Co., 118 I. C. C. 683.

298. Carload rate on sugar from New Orleans to Keokuk, Iowa, found not unreasonable.

299. Fourth-section application for permission to charge on sugar, in carloads, from New Orleans rates higher to Keokuk than to Chicago, Ill., to which Keokuk is directly intermediate over one route, denied.

Kendall Refining Co. v. A. & V. Ry. Co., 118 I. C. C. 689.

300. Rates on gasoline, in carloads, from points in Texas and Oklahoma to Bradford, Pa., found not unreasonable. Complaint dismissed.

301. Fourth-section relief denied.

Western Newspaper Union v. A., T. & S. F. Ry. Co., 118 I. C. C. 692.

302. Rates on envelopes and printing paper, in straight carloads, and on printing paper, blotting paper, wrapping paper, box board, and pulp board, in mixed carloads, from points in Michigan, Ohio, Illinois, and Missouri to Wichita, Kans., found unreasonable. Rates for the future prescribed on envelopes. Reparation awarded and collection of undercharges waived.

303. Rate on a mixed carload of printing and wrapping paper from Detroit, Mich., to Oklahoma City, Okla., found not unreasonable.

304. Fourth-section relief in connection with rates on envelopes from Waukegan, Ill., and West Carrollton, Ohio, to Oklahoma City, Okla., denied.

Public Service Cup Co. v. A. C. L. R. R. Co., 118 I. C. C. 697.

305. Ratings on paper cups in official, southern, and western classifications and class rates governed thereby found unreasonable. Reasonable ratings and rates prescribed and reparation awarded.

Standard Lumber Co. v. A. C. L. R. R. Co., 118 I. C. C. 703.

306. Rates applicable on yellow-pine lumber, in carloads, from Elba, Ala., and Kitchton, Miss., to Booneville, Ind., found not unreasonable. Shipment from Elba found misrouted and from Richton overcharged. Reparation awarded.

Hulsey-Bessent Co. v. D. & R. G. W. R. R. Co., 118 I. C. C. 707.

307. Rates on top-iced lettuce, in carloads, from Granger, Colo., to Jacksonville, Fla., found not unreasonable.

308. Assessment of transportation charges on ice in crates with lettuce found not unjustly discriminatory or unduly preferential. Complaint dismissed.

Florence Chamber of Commerce v. A., T. & S. F. Ry. Co., 118 I. C. C. 710.

309. Rate on dried beans, in carloads, from points in Colorado to Florence, Sheffield, and Tuscumbia, Ala., found not unreasonable or otherwise unlawful. Complaint dismissed.

Texas Co. v. K. C. S. Ry. Co., 118 I. C. C. 713.

310. Rates on oil-well outfits and supplies, in carloads, from Oil City, Caddo, Mansfield, and Marion, La., to Smackover and Louann, Ark., found unreasonable. Reparation awarded.

Lone Star Gas Co. v. C., R. I. & G. Ry. Co., 118 I. C. C. 717.

311. Rates on wrought-iron or steel pipe and fittings, in carloads, between points in Texas and points in Oklahoma found unreasonable. Reasonable rates prescribed and reparation awarded.

Texas-Pacific Coal & Oil Co. v. A., T. & S. F. Ry. Co., 118 I. C. C. 719.

312. Rate on iron and steel pipe, in carloads, from Ranger, Tex., to Ada, Bristow, Byng, Paden, and Seminole, Okla., and from Jefferson, Okla., to Ranger, Tex., found unreasonable. Reasonable rates prescribed and reparation awarded.

American Cider Vinegar Mfrs'. Asso. v. N. Y. C. R. R. Co., 118 I. C. C. 721.

313. Rates on vinegar, in carloads, from points in New York to destinations in North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, and Wisconsin, found not unreasonable or otherwise unlawful. Complaint dismissed.

Brass, Bronze, and Copper Ingots, Pig, Scrap, and Related Articles, 118 I. C. C. 725.

314. Proposed increased rates on brass, bronze, and copper articles in official classification territory, published in purported compliance with *Brass, Bronze, and Copper Articles*, 109 I. C. C. 351, found not justified in certain respects. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with findings.

Capital Grain & Feed Co. v. I. C. R. R. Co., 118 I. C. C. 732.

315. Rates on grain and grain products, in carloads, from points in Missouri, Kansas, Nebraska, North Dakota, South Dakota, Minnesota, Iowa, Wisconsin, Illinois, and Indiana to Montgomery, Ala., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future. Reparation denied.

Nashville Traffic Bureau v. L. & N. R. R. Co., 118 I. C. C. 748.

316. Proportional or reshipping and local rates on grain and grain products, in carloads, from Ohio and Mississippi River crossings to Nashville, Tenn., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future. Reparation denied.

Birmingham Traffic Bureau v. St. L.-S. F. Ry. Co., 118 I. C. C. 756.

317. Rate on grain and grain products, in carloads, from Memphis, Tenn., to Birmingham, Ala., found unreasonable. Reasonable local and proportional rates prescribed for the future. Reparations denied.

Texas Co. v. K. C. S. Ry. Co., 120 I. C. C. 1.

318. Upon reconsideration finding in 101 I. C. C. 177, that the rates on liquid asphalt, in tank-car loads, from Port Neches, Tex., to Morrillton, Conway and Galla, Ark., were unreasonable, modified as indicated therein.

319. Findings in 92 I. C. C. 256 and 100 I. C. C. 233, that the rates on liquid asphalt, in tank-car loads, from Port Arthur and Port Neches, Tex., to West Monroe, La., and on liquid and solid asphalt, in carloads, from Port Neches and points taking the same rates to Tulsa, Okla., were not unreasonable, affirmed upon reconsideration.

Monarch Cement Co. v. C., St. P., M. & O. Ry. Co., 120 I. C. C. 4.

320. Charges assessed on cement, in carloads, from Humboldt, Kans., to Florence, Nebr., found unreasonable. Reparation awarded.

Sioux City Chamber of Commerce v. B. & O. R. R. Co., 120 I. C. C. 7.

321. Carload rates on anthracite and bituminous coal from Lake Superior docks and on bituminous lump coal from various Illinois groups to Sioux City, Iowa, found to have been unreasonable prior to establishment of rates prescribed in original report, 89 I. C. C. 170. Reparation awarded.

Burroughs Adding Machine Co. v. M. C. R. R. Co., 120 I. C. C. 19.

322. Upon further hearing, findings that ratings and rates on adding machines, in boxes, in less than carloads, in western classification, were not unreasonable in the past, but would be unreasonable for the future to the extent that the ratings, and rates based thereon, exceeded one and one-quarter times first class; and that ratings and rates on adding machines, in boxes, in carloads, in official, southern, and western classifications were not unreasonable, affirmed. Former report, 91 I. C. C. 378.

Petroleum Products Co. v. G., H. & S. A. Ry. Co., 120 I. C. C. 24.

323. Rates charged on gasoline, in tank-car loads, from San Antonio, Tex., to Westwood, Calif., found unreasonable. Reparation awarded.

United Paperboard Co. v. C. & E. R. R. Co., 120 I. C. C. 27.

324. Rate on wet wood pulp, in carloads, from Lockport, N. Y., to Wabash, Ind., found not unreasonable or otherwise unlawful. Complainant not shown to have been damaged by any undue prejudice which may have existed. Complaint dismissed.

Columbian Hog & Cattle Powder Co. v. C., C. & St. L. Ry. Co., 120 I. C. C. 31.

325. Storage charges assessed on a less-than-carload shipment of stock powders from Indianapolis, Ind., to Kitchener, Ohio, found in part inapplicable. Refund of overcharge directed. Complaint dismissed.

Jackson Traffic Bureau v. I. C. R. R. Co., 120 I. C. C. 33.

326. Rates on hardwood lumber, in carloads, from certain points in Mississippi to Loudon and Harriman, Tenn., found not unreasonable. Complaint dismissed.

National Car Coupler Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 37.

327. Rates on steel castings, in carloads, from Attica, Ind., to St. Louis, Mo., Chicago, Peoria, Streator, and Mount Vernon, Ill., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed and reparation awarded.

Auto Supplies Mfg. Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 40.

328. First-class rating applied to dust cloths, in less than carloads, found not unreasonable and not unduly prejudicial. Complaint dismissed.

Smith Co. v. N. Y., N. H. & H. R. R. Co., 120 I. C. C. 43.

329. Rates on core sand, in carloads, from Provincetown, Mass., to Westfield, Mass., over an interstate route, found unreasonable. Reasonable rate prescribed for the future. Reparation awarded.

Ward Baking Co. v. B. & M. R. R., 120 I. C. C. 47.

330. Rates on printed waxed wrapping paper in carloads, from Nashua, N. H., to Westchester Avenue, New York, N. Y., and Flatbush Avenue, Brooklyn, found unreasonable. Reparation awarded and maximum reasonable rates prescribed.

Cotton from Tennessee River landings, 120 I. C. C. 51.

331. Proposed increased rates on cotton from Tennessee River landings west of Florence, Ala., to New Orleans, La., found not justified. Proposed schedules ordered canceled without prejudice to the filing of new schedules in conformity herewith.

Hollingshead Co. v. Director General, 120 I. C. C. 55.

332. On further hearing reparation denied on shipments of staves, in carloads, from Crowder, Miss., to interstate points on account of alleged damage due to unduly prejudicial rates. Supplemental complaint dismissed. Original report, 62 I. C. C. 147.

Omaha Grain Exch. v. C., B. & Q. R. R. Co., 120 I. C. C. 59.

333. Upon complaint that defendants, in respect of cars furnished at Omaha, Nebr., for loading flour and other grain products, in sacks, refuse to sweep cars, draw protruding nails, pad projections liable to tear sacks, and strip doors with waterproof paper, while contemporaneously performing those services in connection with like traffic at Kansas City, Mo.: *Found* (1) that carriers should furnish cars in good repair, free from contaminating materials, and reasonably free from protruding nails and rough projections which might tear sacks, and (2) that the performance of additional services in the preparation of cars at Kansas City without charge in addition to the line-haul rate, while contemporaneously refusing to perform like services at Omaha is, and for the future will be, unduly prejudicial. Undue prejudice ordered removed.

Lynchburg Chamber of Commerce v. N. & W. Ry. Co., 120 I. C. C. 64.

334. Classification rating of windmill parts found by analogy to be applicable on wheels, with propeller blades, used to direct attention by their revolutions to advertising matter on signboards.

Deere Plow Co. v. St. L.-S. F. Ry. Co., 120 I. C. C. 67.

335. Rate on farm wagons from Fort Smith, Ark., to Fredericksburg, Tex., found unreasonable. Rate for the future prescribed, and reparation awarded.

Albert Silk Coal Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 69.

336. Rates on bituminous coal, in carloads, from mines in Arkansas and Oklahoma to Topeka and Lawrence, Kans., found unreasonable. Reasonable rates prescribed. Reparation awarded.

Ex-lake iron ore from Chicago, 120 I. C. C. 75.

337. Proposed reduced rate on ex-lake iron ore, in carloads, from Chicago, Ill., to Granite City, Ill., found justified. Order of suspension vacated.

Davis-Noland-Merrill Grain Co. v. St. L.-S. F. Ry. Co., 120 I. C. C. 87.

338. Defendant's refusal to absorb switching charges on grain and grain products, in carloads, at Kansas City, Mo.-Kans., between August 1 and December 26, 1924, found not in accord with its tariff and to have resulted in charges which were illegal. Refund of overcharges directed and complaint dismissed.

Lee Mercantile Co. v. C., R. I. & G. Ry. Co., 120 I. C. C. 90.

339. Rate on one carload of green coffee, from New Orleans, La., to Salina, Kans., found unreasonable. Reparation awarded.

Salt between western and southwestern points, 120 I. C. C. 91.

340. Proposed increased rates on salt, in carloads, from Kansas mines to Omaha, Lincoln, and related points in Nebraska, and from Shreveport, La., to points in Texas, found not justified. Reasonable rates from Kansas mines prescribed.

341. Proposed rates on salt, in carloads, from Louisiana mines to points in Texas found justified, except to points on the Trinity & Brazos Valley. Rates to the latter points found not justified.

342. Rates on salt, in carloads, from Kansas mines to Sioux City, Iowa, Sioux Falls, S. Dak., and Denver, Colo., found unreasonable on and after May 23, 1925. Reasonable rates prescribed.

343. Rates on salt, in carloads, from Kansas mines to southern Missouri, Arkansas, western Louisiana, Oklahoma, and Texas found unreasonable on and after May 23, 1925. Reasonable rates prescribed.

344. Rates on salt, in carloads, from Kansas mines to points in Texas found unduly prejudicial to Kansas shippers, unduly preferential of Texas shippers, and unjustly discriminatory against interstate commerce. Removal of unjust discrimination left to Railroad Commission of Texas.

345. Rate on salt, in carloads, from Louisiana mines to Oklahoma City, Okla., found unreasonable on and after May 23, 1925. Reasonable rate prescribed.

346. Reparation awarded to certain complainants, and certain fourth-section applications denied.

Acme Brick Co. v. A. & N. R. R. Co., 120 I. C. C. 112.

347. Rates on brick, in carloads, from Perla and Fort Smith, Ark., to certain points in Texas, between November 27, 1923, and June 26, 1924, found to have been unreasonable. Reparation awarded.

Beggs & Co. v. B. & O. R. R. Co., 120 I. C. C. 115.

348. Rates on potatoes, in carloads, from points in Wisconsin, Minnesota, and North Dakota, to points in Ohio, Pennsylvania, Maryland, Virginia, West Virginia, New Jersey, New York, Connecticut, and the District of Columbia, found unreasonable to the extent indicated in the report. Reparation awarded.

Mackintosh Mines Co. v. E. N. Ry. Co., 120 I. C. C. 121.

349. Rate on fuel oil in tank-car loads from Oleum, Calif., to Eureka, Nev., found inapplicable. Applicable rate found unreasonable in part. Estimated weight used in computing charges found illegal. Reparation awarded.

Dann-Gerow Co. v. A. C. L. R. R. Co., 120 I. C. C. 123.

350. Shipment of a carload of building brick from Shawnee, Ohio, to St. Petersburg, Fla., found overcharged. Reparation awarded.

Horel v. G. N. Ry. Co., 120 I. C. C. 125.

351. Carload shipment of apples from Chelan, Wash., to Chicago, Ill., diverted to Newark, N. J., found to have been misrouted but complainant not found to have been damaged thereby. Complaint dismissed.

Hyman-Michaels Co. v. A. C. L. R. R. Co., 120 I. C. C. 127.

352. Rate charged on one carload of rosin from Pig Point, Va., to Schenectady, N. Y., found unreasonable. Partial waiver of undercharges authorized.

Cameron, Joyce & Schneider v. D. & R. G. W. R. R. Co., 120 I. C. C. 129.

353. Rate charged on three carloads of rough granite from Salida, Colo., to Keokuk, Iowa, found not unreasonable or otherwise unlawful. Complaint dismissed.

Virginia & Rainy Lake Co. v. D., W. & P. Ry. Co., 120 I. C. C. 131.

354. Rate on lumber, in carloads, from Virginia, Minn., to Grafton, Wis., found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

Selden-Breck Construction Co. v. C., M. & St. P. Ry. Co., 120 I. C. C. 134.

355. Shipments of building stone from Bedford, Ind., to Oklahoma City, Okla., overcharged. Reparation awarded.

Mayfield Chamber of Commerce v. A. & W. Ry. Co., 120 I. C. C. 137.

356. Basis for class rates approved in *Southern Class Rate Investigation*, 109 I. C. C. 300, affirmed for application between official classification territory, on the one hand, and Fulton, Mayfield, Boaz, Viola, and Hickory, Ky., on the other.

357. Class rates between official classification territory, on the one hand, and Fulton and Mayfield on the other, found unduly prejudicial. Nonprejudicial basis of rates prescribed.

358. Class rates between Kansas City, Mo., Omaha, Nebr., and St. Paul and Minneapolis, Minn., on the one hand, and Fulton and Mayfield, Ky., on the other, found unreasonable and unduly prejudicial. Reasonable maximum rates and nonprejudicial basis of rates prescribed.

359. Commodity rates between official classification territory and western trunk-line territory, on the one hand, and Fulton and Mayfield, Ky., on the other, not shown to be unreasonable, but found unduly prejudicial. Nonprejudicial basis of rates prescribed.

360. Reparation denied.

Storage in transit of iron and steel articles, 120 I. C. C. 147.

361. Proposed cancellation of storage-in-transit arrangements at Texas Gulf ports on iron and steel articles moving from Atlantic seaboard and southeastern territories to Shreveport, La., Texarkana, Ark.-Tex., and points in Texas found justified. Order of suspension vacated.

Crescent Bed Co. v. A. & V. Ry. Co., 120 I. C. C. 151.

362. Upon further consideration, maximum reasonable rates on metal beds and other articles taking the same rates, in carloads, from New Orleans, La., to points in southern territory, prescribed in original report, 102 I. C. C. 419, modified.

Indianapolis Chamber of Commerce v. P. R. R. Co., 120 I. C. C. 153.

363. Rates on stoves and furnaces, in carloads, from Indianapolis, Ind., to Des Moines, Iowa, found unreasonable. Reparation awarded.

Weir Smelting Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 155.

364. Rates on zinc ore, in carloads, from Henryetta, Okla., to Caney, Kans., found unreasonable. Reparation awarded.

Folly Town Co. v. E. R. R. Co., 120 I. C. C. 157.

365. Charges applicable on shipments of candy from Chicago, Ill., to New York, N. Y., found unreasonable. Waiver of collection of undercharges authorized.

Usher Bros. v. M. & O. R. R. Co., 120 I. C. C. 159.

366. Reconignment charge on shipment of lumber from Meridian, Miss., to Hobart, Ind., reconsigned to Chicago, Ill., found unreasonable. Reparation awarded.

Hill Grocery Co. v. L. V. R. R. Co., 120 I. C. C. 161.

367. Rates applicable on lemons, in carloads, from New York, N. Y., to Nashville, Tenn., found unreasonable. Reasonable rate for the future prescribed. Waiver of undercharges authorized.

Dann-Gerow Co. v. A. C. L. R. R. Co., 120 I. C. C. 163.

368. Rate charged on six carloads of building brick from Shawnee, Ohio, to St. Petersburg, Fla., found to have been illegal. Shipments found overcharged. Reparation awarded.

White Eagle Oil & Refining Co. v. D. & R. G. W. R. R. Co., 120 I. C. C. 166.

369. Rate charged on gasoline and petroleum refined burning oil, in carloads, from Casper, Wyo., to Glenwood Springs, Rifle, and Grand Junction, Colo., found to have been unreasonable. Reparation awarded.

Best Foods v. C. R. R. Co. of N. J., 120 I. C. C. 169.

370. Upon further hearing, ratings and rates on coconut stearine, in carloads and less than carloads, from Bayonne, N. J., to points in official classification territory found unreasonable and unduly prejudicial. Reasonable and nonprejudicial ratings and rates prescribed for the future. Reparation denied. Former report, 98 I. C. C. 331, modified in part.

Underwood Lumber Corp. v. A. C. L. R. R. Co., 120 I. C. C. 175.

371. Carload of lumber from Quitman, Ga., to Ozone Park, N. Y., found misrouted. Reparation awarded.

Cement Between Oklahoma and Texas Points, 120 I. C. C. 177.

372. Proposed changes in rates on cement, in carloads, between Oklahoma and Texas points and between points in Texas over interstate routes, and cancellation of routes through Texas on shipments from Oklahoma to destinations in Arkansas, Louisiana, and Mississippi, found not justified. Suspended schedules canceled and proceedings discontinued.

Federated Metals Corp. v. P. R. R. Co., 120 I. C. C. 181.

373. Rates on spelter, in carloads, from Trenton, N. J., to Atlanta, Ga., Birmingham, Ala., and Chattanooga, Tenn., and points grouped therewith, found unreasonable. Reasonable rates prescribed for the future.

Routing on Cotton from L. & N. Stations, 120 I. C. C. 185.

374. Proposed routing restrictions on cotton in bales, in carloads, from Louisville & Nashville Railroad stations to North Carolina, South Carolina, Virginia, and Georgia found not justified. Suspended schedules ordered canceled and proceedings discontinued.

Southern Cotton Oil Co. v. A. C. L. R. R. Co., 120 I. C. C. 190.

375. Rates on logs, except walnut, cherry, and cedar, in carloads, from points on the Atlantic Coast Line in South Carolina south of Charleston to Savannah, Ga., found unreasonable. Reasonable maximum scale of rates prescribed.

Automatic train-control devices, 120 I. C. C. 193.

376. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

377. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Automatic train-control devices, 120 I. C. C. 199.

378. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

379. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Hamilton Co. v. P. & R. Ry. Co., 120 I. C. C. 205.

380. Complaint alleging that the rate collected on a carload of wrought-iron pipe from Reading, Pa., to Dallas, Tex., was unreasonable found barred. Complaint dismissed.

Ryan Fruit Co. v. Director General, 120 I. C. C. 206.

381. Joint rates charged on grapefruit, in carloads, shipped from points in Florida to Salt Lake City and Ogden, Utah, during the period April 4, 1918, to December 19, 1921, inclusive, and applicable rates on like traffic shipped from and to the same points during the period December 20, 1921, to April 4, 1923, inclusive, found in excess of the aggregate of intermediate rates and unjust and unreasonable. Certain shipments found undercharged and waiver of undercharges authorized. Claims for reparation on certain shipments found barred by limitation. Actual weight of shipments that moved on rates found unreasonable not shown, and reparation denied.

382. Combination rates on grapefruit, in carloads, from points in Florida to Pocatello, Idaho, and during the period from April 5, 1923, to May 3, 1924, to Salt Lake City and Ogden, found not unreasonable.

383. Prayer for the establishment of a lower estimated weight denied. Complaint dismissed.

Switching at St. Louis and East St. Louis, 120 I. C. C. 216.

384. Proposed increased switching rates in and about St. Louis, Mo., found not justified. Suspended schedules ordered canceled but without prejudice to the filing of new schedules in accordance with conclusions expressed. Proceedings discontinued.

Anthony Produce Co. v. B. & A. R. R. 120 I. C. C. 224.

385. Rates on cranberries, in carloads, from points in Massachusetts, New Jersey, and Wisconsin to Hutchinson, Wichita, and Anthony, Kans., found not unreasonable or otherwise unlawful. Complaint dismissed.

Brownell & Field Co. v. N. Y., N. H. & H. R. R. Co., 120 I. C. C. 229.

386. Rates on fiber-board cans, in paper bags, in carloads, from Jersey City, N. J., to Providence, R. I., found not unreasonable. Complaint dismissed.

Lumberton Broom & Mop Handle Factory v. G. & S. I. R. R. Co., 120 I. C. C. 233.

387. Rates on broom and mop handles, dowels, and curtain poles, in carloads, from Lumberton, Miss., to Boston, Mass., and on dowels, in carloads, from Lumberton to Girard, Pa., found unreasonable and unduly prejudicial. Reparation awarded and reasonable and nonprejudicial rates prescribed.

Central Penn. Lumber Co. v. S. & N. Y. R. R. Co., 120 I. C. C. 239.

388. Rate on lumber, in carloads, from Masten and Laquin, Pa., to destinations in New England found not unreasonable or otherwise unlawful. Complaint dismissed.

Haviland Clay Works Co. v. C. N. R. R. Co., 120 I. C. C. 241.

389. Charges collected on 13 carloads of hollow building brick and hollow building tile shipped from Haviland, Ohio, to Fort Wayne, Ind., found inapplicable and unreasonable. Collection of undercharges waived and reparation awarded.

Russell v. C., C. & St. L. Ry. Co., 120 I. C. C. 243.

390. One carload of coal from Vanwood, W. Va., to Elkhart, Ind., reconsigned to New Paris, Ind., found overcharged. Refund of overcharges directed and complaint dismissed.

Ark. Jobbers & Mfrs. Assn. v. C., R. I. & P. Ry. Co., 120 I. C. C. 245.

391. Rates on potatoes and vegetables, in carloads, from points in Colorado, Idaho, Montana, Nebraska, Wyoming, and Utah, to destinations in Arkansas and Louisiana, found unduly prejudicial. Undue prejudice ordered removed.

Allaire, Woodward & Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 249.

392. Rate on pyrethrum flowers, in carloads, from Pacific coast points to Peoria, Ill., found not unreasonable or unduly prejudicial. Complaint dismissed.

Spanish River Pulp & Paper Mills v. A. & W. Ry. Co., 120 I. C. C. 251.

393. Finding in prior report, 113 I. C. C. 343, that joint rates on newsprint paper in carloads, from Espanola, Ontario, Canada, to destinations in Wisconsin, Minnesota, Illinois, Missouri, and Iowa, and to Omaha, Nebr., are, and for the future will be, in so far as the transportation takes place within the United States, unreasonable and unduly prejudicial to the extent that they exceed, or may exceed, by more than 4 cents per 100 pounds the rates contemporaneously applicable to the transportation of the same commodity from Sault Ste. Marie, Ontario, to the same destinations, affirmed on reconsideration.

Kansas City, K. V. & W. Ry. Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 258.

394. Rates on sand, in carloads, from Sirridge and Grinter, Kans., on complainant's line, to destinations on the Kansas City, Clay County & St. Joseph Railway, within the Kansas City switching limits, found not unduly prejudicial. Complaint dismissed.

Seaboard Rice Milling Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 263.

395. Following *Alton Mercantile Co. v. A. & W. Ry. Co.*, 95 I. C. C. 645 and 98 I. C. C. 581, rates on rice, in carloads, from points in Louisiana and Texas to points in Oklahoma, with transit at Galveston, Tex., found unreasonable. Reparation awarded.

Page & Hill Co. v. M. & I. Ry. Co., 120 I. C. C. 265.

396. Shipment of poles from Gemmell, Minn., to Pinconning, Mich., found to have been misrouted. Reparation awarded.

397. Damage, if any, arising from loss of transit arrangement not proved.

Memphis Furniture & Mfg. Co. v. L. & N. R. R. Co., 120 I. C. C. 267.

398. Rates assailed on chairs in the white, knocked down, in carloads, from Union City, Pa., to Memphis, Tenn., found applicable and not unreasonable. Complaint dismissed.

Liberty Cooperage & Lumber Co. v. N. Y., C. & St. L. R. R. Co., 120 I. C. C. 271.

399. Rate on basket tops, in carloads, from Beaumont, Tex., to North East, Pa., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Camp Meade Salvage Co. v. B. & O. R. R. Co., 120 I. C. C. 273.

400. Rate charged on three carloads of radiators from Camp Meade, Md., to Trenton, N. J., found unreasonable. Reparation awarded.

Gates Marble & Tile Co. v. C., P. & St. L. R. R. Co., 120 I. C. C. 275.

401. Rates charged on sawed stone and marble, in carloads, from Carthage and Phenix, Mo., to Indianapolis, Brightwood, and St. Mary of the Woods, Ind., found inapplicable. Reparation awarded.

United Paperboard Co. v. B. & M. R. R., 120 I. C. C. 280.

402. Rate on imported wood pulp, in carloads, from Boston, Mass., to Whippany, N. J., found to have been and to be unreasonable. Reparation awarded and reasonable rate for the future prescribed.

Virginia Coal Operators' Asso. v. A. & R. R. R. Co., 120 I. C. C. 283.

403. Rates on coal, in carloads, from the Appalachia and Dante districts in Virginia to destinations in North Carolina, South Carolina, and Georgia, and rates from the Harlan County district in Kentucky to the same destinations, found not unduly prejudicial.

404. Like rates to Jacksonville, Fla., and points basing thereon, found unduly prejudicial to the Appalachia and Dante districts to the extent that the rate therefrom to Jacksonville exceeds the rate from Harlan County district Group 4 to Jacksonville. Undue prejudice ordered removed.

Chicago Live Stock Exch. v. Director General, 120 I. C. C. 295.

405. Rates during Federal control on livestock, in carloads, from St. Cloud, Calvary, Rosendale, and Malone, Wis., to Chicago, Ill., found unreasonable. Reparation awarded.

Earl Bros. v. C., M. & St. P. Ry. Co., 120 I. C. C. 299.

406. Rates charged on one carload of potatoes from Oldham, S. Dak., to Carmi, Ill., found inapplicable. Applicable rates not shown to have been unreasonable, but assessment of reconsignment charge in addition to local rates found unreasonable. Reparation awarded. Refund of overcharge directed.

407. Action as to seven carloads of potatoes from points in Wisconsin to various destinations found barred.

Bear State Oil Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 301.

408. Rates charged on refined petroleum, in carloads, from certain points in Group 3 in Oklahoma to certain destinations on the Missouri & North Arkansas Railway in Arkansas found to have been unreasonable. Reparation awarded.

Ohio Farm Bureau Federation v. N. & W. Ry. Co., 120 I. C. C. 305.

409. Failure of defendant to provide for stoppage in transit to partly unload carload shipments of feed, fertilizer, tankage, and twine found unreasonable. Defendant required to provide such services.

Smith Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 309.

410. One Austin backfiller shipped from Elkin, Ill., to Bakersfield, Calif., in mixed carload with one Elgin motor street sweeper, found ratable as a machine not otherwise indexed by name. Complaint dismissed.

Mountain Valley Springs Co. v. C., R. I. & P. Ry. Co., 120 I. C. C. 313.

411. Rates on iron or steel barrels or drums, in carloads, from Detroit, Mich., and Sharon, Pa., to Hot Springs, Ark., found not unreasonable. Complaint dismissed.

Lawrence Construction Co. v. L. & N. R. R. Co., 120 I. C. C. 316.

412. Rate on gravel from Montgomery, Ala., to Milton, Fla., found unreasonable. Reparation awarded.

413. Defendant's contention that a tariff reference to rule 77 of Tariff Circular 18-A was inapplicable because Milton is not directly intermediate to Pensacola over defendant's exclusively used route through Flomaton, Ala., but is beyond Pensacola over that route, found not sustained, in the absence of any tariff restrictions as to routing through Milton to Pensacola.

Vegetables from Virginia, 120 I. C. C. 319.

414. Proposed increased rates and routing restrictions on potatoes and cabbage, in carloads, and less than carloads, from points on the Norfolk Southern to destinations in central territory found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules in conformity with the fourth section. Fourth-section relief denied.

Iron and steel fabricated in transit, 120 I. C. C. 325.

415. Proposed charge for out-of-line hauls of iron and steel articles fabricated in transit at Tulsa, Okla., found justified. Order of suspension vacated and proceeding discontinued.

N. J. Lumbermen's Committee v. A. C. L. R. R. Co., 120 I. C. C. 329.

416. Rates on lumber and forest products taking the same rates, in carloads, from points in southeastern and Carolina territories and Virginia cities to Jersey City, Trenton, and other destinations in New Jersey, found not unreasonable, except to extent indicated. Defendants directed to establish reasonable rates.

Victor Milling Co. v. M. P. R. R. Co., 120 I. C. C. 335.

417. Charges assessed on wheat, in carloads, from points west of Kansas City, milled en route at Marshall, Mo., and the product, flour, forwarded to Oklahoma City, Okla., found inapplicable. Charges applicable over the routes of movement and also the charges applicable over the proper route which have been used as the basis of settlement for misrouting, found not unreasonable or otherwise unlawful. Complaint dismissed.

Guggenheim Bros. v. B. & O. R. R. Co., 120 I. C. C. 340.

418. First-class rate on fresh beef hams, salted, in less than carloads, from Chicago, Ill., to Philadelphia, Pa., and Phillipsburg, N. J., found unreasonable. Reasonable rate prescribed and reparation awarded.

Hamm Co. v. B. & O. R. R. Co., 120 I. C. C. 345.

419. Rates on sulphuric acid, in tank cars, from La Salle, Ill., to Washington Court House, Ohio, found not unreasonable. Complaint dismissed.

Viscose Co. v. N. Y. C. R. R. Co., 120 I. C. C. 352.

420. Rates on cotton-pulp board, in carloads, from Nitro, W. Va., to Marcus Hook and Lewistown, Pa., and Roanoke, Norfolk, and Newport News, Va., found not unreasonable. Complaint dismissed.

Chicago Heights Mfrs. Asso. v. C. H. T. T. R. R. Co., 120 I. C. C. 357.

421. Defendants' failure to ascertain whether a car tendered to them by complainant was empty found not to have resulted in the assessment of charges which were unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

Harden v. Pullman Co., 120 I. C. C. 359.

422. Allegation that defendant refused to furnish Pullman accommodations to complainant not sustained. The refusal alleged would not constitute unjust discrimination in violation of section 2 of the interstate commerce act. Complaint dismissed.

Ohio Farm Bureau Federation v. A. & W. Ry. Co., 120 I. C. C. 361.

423. Sixth-class rates on commercial fertilizers, in carloads, between points in central territory found not unreasonable or otherwise unlawful in the past. Defendants directed to establish distance scale of rates found just and reasonable for the future.

Jamestown Chamber of Commerce v. P. R. R. Co., 120 I. C. C. 372.

424. Rates on iron and steel articles, in carloads, from Pittsburgh, Pa., and points taking the same rates to Jamestown and Falconer, N. Y., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future and reparation awarded.

Liberty Cooperage & Lumber Co. v. L. & N. R. R. Co., 120 I. C. C. 379.

425. Rates charged for the transportation of old secondhand barrels, in carloads, from Cynthiana and Poindexter, Ky., to Rochester and Syracuse, N. Y., found not to have been unreasonable or otherwise unlawful. Complaint dismissed.

426. Action on fourth-section application for authority to continue lower rates on old secondhand barrels from Lexington, Louisville, and Winchester, Ky., to Rochester and Syracuse than those contemporaneously maintained on like traffic from Cynthiana and Poindexter and other intermediate points to the same destinations temporarily deferred.

Lewis-Chitty-Consolidated v. B. & O. R. R. Co., 120 I. C. C. 384.

427. Carload of canned goods shipped from Westminster, Md., to Tampa, Fla., found to have been misrouted. Reparation awarded.

Alderman v. A. & V. Ry. Co., 120 I. C. C. 387.

428. Rates on watermelons, in carloads, from points in Georgia, Florida, and Alabama to Chicago and Peoria, Ill., and Milwaukee, Wis., found not in violation of the fourth section, but found unreasonable. Reparation awarded.

Lynchburg Chamber of Commerce v. P. R. R. Co., 120 I. C. C. 392.

429. Rates on sugar, in carloads, from Yonkers and Brooklyn, N. Y., to Lynchburg, Va., found to have been unreasonable. Reparation awarded.

Fruits and Vegetables, 120 I. C. C. 395.

430. Proposed revision, including increases and reductions, in rates on fruits and vegetables from points in southern Missouri, eastern Oklahoma, Arkansas, and Louisiana, to points in such States and to the Mississippi River crossings, Memphis and south thereof, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Gannaway v. I. C. R. R. Co., 120 I. C. C. 400.

431. Rates on cottonseed products, in carloads, from Tiptonville, Tenn., to northern and eastern destinations found not unreasonable, but unduly prejudicial. Undue prejudice ordered removed and reparation awarded.

Riegel Sack Co. v. C. R. R. Co. of N. J., 120 I. C. C. 405.

432. Rate charged on burlap bags, in carloads, from Jersey City, N. J., to Baltimore, Md., found unreasonable. Reparation awarded.

Georgia Quincy Granite Co. v. A. C. L. R. R. Co., 120 I. C. C. 408.

433. Rates on curbing, in carloads, since March 10, 1923, from Granite Hill, Ga., to St. Petersburg, Fla., found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

Hersey Mfg. Co. v. B. & A. R. R., 120 I. C. C. 413.

434. Rates on water meters from Boston, Mass., to Pacific coast points prior to March 3, 1925, found not unreasonable. Rates sought for the future voluntarily established. Complaint dismissed.

Menasha Wooden Ware Co. v. D., S. S. & A. Ry. Co., 120 I. C. C. 415.

435. Shipment of logs from spur S-30, Mich., to Peshtigo, Wis., found overcharged. Applicable rates found not unreasonable or otherwise unlawful. Refund of overcharges directed and complaint dismissed.

Hyman-Michaels Co. v. B. & O. R. R. Co., 120 I. C. C. 417.

436. Joint class rates applicable on scrap car wheels, in carloads, from Windsor, Ontario, Canada, to Michigan City, Ind., and Pullman, Ill., found unreasonable and unduly prejudicial. Waiver of undercharges authorized and reparation awarded.

Hilb & Bauer v. N. Y. C. R. R. Co., 120 I. C. C. 421.

437. Reparation awarded on shipments of scrap iron from Dunbar, W. Va., to Weirton, W. Va., based upon the rate found reasonable in the original report, 101 I. C. C. 621.

Pure Oil Co. v. C., R. I. & P. Ry. Co., 120 I. C. C. 422.

438. Rate on petroleum crude oil, in tank-car loads, from Currie, Tex., to Minneapolis, Minn., found unreasonable and unduly prejudicial. Reparation awarded.

Tunnell & Co. v. P. R. R. Co., 120 I. C. C. 425.

439. Rates on hide trimmings and fleshings, in carloads, from Wilmington, Del., to Ontario Street Station, Philadelphia, Pa., found to have been unreasonable. Reparation awarded.

Reeves Coal & Dock Co. v. L. & N. R. R. Co., 120 I. C. C. 428.

440. Rate charged on one carload of coal from La Follette, Tenn., to Ludington, Mich., moved through Benton Harbor, Mich., found unreasonable. Reparation awarded.

United Zinc Smelting Corp. v. B. & O. R. R. Co., 120 I. C. C. 431.

441. Rates on roasted zinc, in carloads, from Moundsville, W. Va., to New-
port, Del., found not unreasonable. Complaint dismissed.

Vera Chemical Co. v. A. C. R. R. Co., 120 I. C. C. 434.

442. Upon further hearing, finding in former report, 104 I. C. C. 408, that the requirement that shipments of rosin, in carloads, be packed in barrels, is not unreasonable or otherwise unlawful, affirmed.

443. Former finding that rates on rosin, in carloads, to Burlington, Ontario, Canada, from Gulf and south Atlantic ports and points taking the same rates were not unduly prejudicial or unduly preferential as alleged; that the rates from Gulf ports and points taking the same rates were not unreasonable; and that the rates from south Atlantic ports and points taking the same rates were unreasonable, affirmed on further hearing. Reparation awarded.

Railway Mail Pay, 120 I. C. C. 439.

444. Rates of pay for transportation of mail found not fair and reasonable, except as indicated. Fair and reasonable rates established. Former report, 56 I. C. C. 1.

Robinson v. A., T. & S. F. Ry. Co., 120 I. C. C. 452.

445. Former report, 113 I. C. C. 280, finding rates on green or green salted hides, pelts, skins, grease, and tallow, in straight or mixed carloads, from Norfolk, Nebr., to Chicago, Ill., and points taking same rates unreasonable, affirmed, except that reparation is denied on shipments made prior to November 17, 1924.

Marshall and Jefferson v. T. & P. Ry. Co., 120 I. C. C. 455.

446. Following the principles announced in the original report, 85 I. C. C. 115, rates from Kansas City, Mo., St. Louis, Mo., Memphis, Tenn., New Orleans, La., and points in defined and seaboard territories, to Marshall and Jefferson, Tex., found unreasonable since January 26, 1921, to the extent that they exceeded the aggregate of intermediate rates contemporaneously in effect. Reparation awarded.

447. Present rates on sugar, in carloads, from New Orleans, La., and points taking the same rates to Marshall and Jefferson, Tex., found just and reasonable. Nonprejudicial relationship to Shreveport, La., prescribed.

448. Rates on sugar, in carloads, from New Orleans to Marshall and Jefferson found unreasonable since January 26, 1921, to the extent that they exceeded the present rates, adjusted for that period prior to July 1, 1922, to reflect the reduction of that date. Reparation awarded.

449. No damage shown in consequence of the undue prejudice against Marshall and Jefferson, Tex., or complainants located at those points.

Morgan Canning Co. v. O. S. L. R. R. Co., 120 I. C. C. 466.

450. Rate on dried peas, in carloads, from Grace, Idaho, to Smithfield, Utah, found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.

Paving Brick to Florida, 120 I. C. C. 489.

451. Application for authority to establish rates on paving brick from producing points in the Southeast to Tampa, St. Petersburg, Palmetto, Bradenton and Sarasota, Fla., lower than rates contemporaneously maintained to intermediate points denied.

Cotton Mills Products Co. v. A. & V. Ry. Co., 120 I. C. C. 473.

452. The rate charged on textile machinery, in carloads, from Tallahassee, Ala., to Natchez, Miss., found inapplicable. The applicable sixth-class rate found not unreasonable. Refund of overcharges directed and complaint dismissed.

Automatic train-control devices, 120 I. C. C. 475.

453. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved except as indicated.

454. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Russellville Compress Co. v. G., M. & N. R. R. Co., 120 I. C. C. 481.

455. Rates charged on seven carloads of cotton-compress parts from Houston and Winona, Miss., to Russellville, Little Rock, and Earle, Ark., found inapplicable, and applicable rates found unreasonable. Reparation awarded.

456. Fourth-section relief denied.

Milne Lumber Co. v. D., T. & I. R. R. Co., 120 I. C. C. 488.

457. Demurrage charges collected on two carloads of lumber at Detroit, Mich., found to have been less than those applicable on one car, and in excess of those applicable on the other. Complaints dismissed.

Wool Rates Investigation, 1923, 120 I. C. C. 493.

458. The commission has power to establish through routes and to prescribe reasonable maximum joint rail-and-water rates on wool and mohair from interior points on shipments moving via Pacific ports and the Panama Canal to Boston, Mass., and other North Atlantic ports.

459. The establishment of such through rates and joint rates not shown to be necessary or desirable in the public interest, and the failure of the carriers to establish joint rates and to issue through bills of lading found not unjust, unreasonable, or otherwise unlawful. Finding in original report 91 I. C. C. 235, affirmed.

Sar-a-lee Co. v. A., C. & Y. Ry. Co., 120 I. C. C. 512.

460. Ratings in official, southern, and western classifications, and rates applicable thereunder, on sandwich spread from Cleveland, Ohio, found unreasonable. Reasonable rating prescribed, reparation awarded, and carriers authorized to waive collection of undercharges.

Como Chemical Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 517.

461. Rates on sulphate of alumina, in carloads, from Kokomo, Ind., to destinations in Wisconsin found unreasonable and unduly prejudicial. Reasonable and nonprejudiced rates prescribed for the future.

Blocksom & Co. v. M. C. R. R. Co., 120 I. C. C. 521.

462. Rating applied on rolls of woven curled hair, in less than carloads, shipped March 5 and 14, 1925, from Michigan City, Ind., to Portland, Oreg., found unreasonable. Reasonable rating prescribed for the future. Reparation denied.

Gravel between Kans. and Okla., 120 I. C. C. 523.

463. Proposed increased rates on gravel, crushed stone, and sand, in carloads, between points in Oklahoma and points in Kansas found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Manure from New Orleans, 120 I. C. C. 525.

464. Proposed increased rates and minimum weight on manure from New Orleans, La., to points in Alabama and Mississippi found justified. Order of suspension vacated and proceeding discontinued.

Delmar Co. v. G. N. Ry. Co., 120 I. C. C. 530.

465. Local rates on grain, in carloads, from points in Montana, North Dakota, South Dakota, and Minnesota to Duluth, Minn., and Superior, Wis., unrestricted as to routing, found applicable through Minneapolis, Minn., as well as over the more direct routes, except where the tariffs provided for an additional charge beyond Minneapolis. Reparation awarded.

Morrell & Co. v. N. Y. C. R. R. Co., 120 I. C. C. 537.

Conclusions in original report, 104 I. C. C. 104, modified in part:

466. Finding that the through rates on cured meats and hides, in carloads, from certain packing points west of the Mississippi River to destinations in trunk-line and New England territories are unreasonable, reversed.

467. Finding that the local and proportional rates on fresh meats, in carloads, from St. Louis, Mo., and other Mississippi River crossings to destinations in trunk-line and New England territories should be based upon 117 per cent of the Chicago-New York rate, withdrawn, and rates based upon specific differentials over Chicago prescribed for the future.

468. Reparation denied under the rates prescribed on fresh meats, and awarded to certain complainants and interveners under the rating and rates in official classification territory prescribed on dried, dry-salted, smoked, and pickled meats, loose, in carloads.

McLeod v. T. & P. Ry. Co., 120 I. C. C. 550.

469. Previous findings that the rates charged on gasoline, in carloads, from points in Texas and Oklahoma to destinations in California and Washington were applicable and not unreasonable, affirmed on further hearing. Complaint dismissed. Former reports, 89 I. C. C. 356 and 100 I. C. C. 219.

Refrigeration charges on vegetables, 120 I. C. C. 555.

470. Proposed increased refrigeration charges on vegetables, except cabbages and tomatoes, in carloads, from points in Louisiana and Mississippi to destinations in all other States and in Canada, found not justified. Suspended schedules ordered canceled, and proceeding discontinued.

Miss. R. R. Commission v. A. & V. Ry. Co., 120 I. C. C. 569.

471. Findings in original report, 102 I. C. C. 540, prescribing a distance scale of reasonable maximum rates on salt, in carloads, from Louisiana mines to Mississippi destinations, and awarding reparations, affirmed, except that McLain, Miss., is eliminated as a destination to which the scale shall apply as maximum.

472. Differentials which may be added to rates under the prescribed scale to local points on certain Mississippi short lines increased to 60 cents per net ton, and equidistance clause of the fourth section not required to be observed by these lines in meeting more distant junction-point rates.

473. Portions of fourth-section application No. 373 left for subsequent determination, and fourth-section relief in applying the prescribed scale, with certain restrictions, granted circuitous routes.

Spelter from Blackwell, 120 I. C. C. 576.

474. Proposed increased rate on spelter, in carloads, from Blackwell, Okla., to Greencastle, Ind., found justified. Order of suspension vacated.

Knight-Luttrell Iron Co. v. S. A. L. Ry. Co., 120 I. C. C. 580.

475. Rate charged on electric-crane girders, in carloads, from Pittsburgh, Pa., to Atlanta, Ga., found inapplicable. Reparation awarded.

Atlas Portland Cement Company v. N. & B. R. R. Co., 120 I. C. C. 583.

476. Rates charged on cement, in carloads, from Navarro, Pa., to Dunraven, N. Y., found unreasonable. Reparation awarded.

Armour & Co. v. Director General, 120 I. C. C. 587.

477. Rates applied on ordinary livestock from or to complainants' plants found to have been unlawful under the second Cummins amendment to section 20 of the act. Reparation awarded.

Badger Lumber & Coal Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 590.

478. Interstate rates on magnesite stucco, in carloads, from Chicago, Waukegan, and Ottawa, Ill., Cedar Rapids and Crandic, Iowa, and Kansas City, Mo., to destinations in Kansas, Missouri, Oklahoma, and Arkansas, and from Waukegan, Ill., to Pueblo, Colo., found unreasonable. Reparation awarded.

Cady Lumber Co. v. A. Ry. Co., 120 I. C. C. 593.

479. Rates on lumber and box shooks, in carloads, from Flagstaff and McNary, Ariz., to points in the Imperial Valley of California found unreasonable but not unduly prejudicial. Reasonable rates prescribed for the future. Reparation awarded on shipments from Flagstaff, Ariz., to Westmoreland, Calif.

Long v. A. C. L. R. R. Co., 120 I. C. C. 601.

480. Delivery at Manhattan Produce Yards, N. J., of a carload of strawberries which originated at Plant City, Fla., and was consigned to Jersey City, N. J., found not to constitute misrouting. Damages alleged to have been caused by such delivery found not to have resulted from violation of any provision of the interstate commerce act. Complaint dismissed.

Black Servant Coal Co. v. I. C. R. R. Co., 120 I. C. C. 604.

481. Rates on bituminous coal, in carloads, from Elkhville, Ill., to destinations in Missouri, Iowa, Kansas, Arkansas, Colorado, Montana, Nebraska, Oklahoma, South Dakota, and Wyoming found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed.

Horses and mules from Chicago, 120 I. C. C. 607.

482. Proposed restriction of application of proportional rate on horses and mules, in carloads, from Chicago, Ill., to Ohio River crossings found not justified. Suspended schedules ordered canceled and proceeding discontinued.

American Cement Tile Mfg. Co. v. P. R. R. Co., 120 I. C. C. 611.

483. Rates on cement roofing slabs, reinforced with metal, in carloads, from Wampum, Pa., to Toronto, Ontario, Canada, found unreasonable. Reparation awarded.

Petroleum Oils Corp. v. A., T. & S. F. Ry. Co., 120 I. C. C. 614.

484. Rate on lubricating-oil stock, in carloads, from Chaison, Tex., to Eldorado and Topeka, Kans., found not unreasonable as to past shipments but unreasonable for the future. Reasonable rates prescribed.

Hymans-Michaels Co. v. Director General, 120 I. C. C. 617.

485. Charges collected on various carload shipments of scrap iron and steel found to have been illegally assessed. Reparation awarded.

Ill. Electric Porcelain Co. v. A., T. & S. F. Ry. Co., 120 I. C. C. 621.

486. Rate on porcelain insulators, in carloads, from Macomb, Ill., to Galveston and Houston, Tex., and points grouped therewith, found not unreasonable. No damage shown to have resulted from any undue prejudice which may have existed. Complaint dismissed.

Automatic train-control devices, 120 I. C. C. 624.

487. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

488. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Automatic train-control devices, 120 I. C. C. 635.

489. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

490. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Miss. Pearl Button Co. v. I. C. R. R. Co., 120 I. C. C. 647.

491. Rate on clam shells, in carloads, from Dixon, Ill., to Fort Madison, Iowa, found not unreasonable or otherwise unlawful. Complaint dismissed.

Grangers Mfg. Co. v. N. Y. C. R. R. Co., 120 I. C. C. 648.

492. Rates on agricultural limestone, in carloads, from West Stockbridge, Mass., to points in eastern New York found unreasonable and unduly prejudicial. No shipments moved at the unreasonable rates. No damage as a result of undue prejudice shown. Reparation to cover general damages denied. Defendants expected to establish rates in accordance with report.

Market Street Ry. Co. v. S. P. Co., 120 I. C. C. 654.

493. Rates charged on street-railway car bodies and parts, in carloads, from Findlay, Ohio, to San Francisco, Calif., found inapplicable. Reparation awarded.

Minimum weight on iron and steel pipe and tubing, 120 I. C. C. 657.

494. Proposed increase in minimum carload weight on wrought-iron pipe and seamless iron and steel tubing, from and to points in official classification territory found not justified. Suspended schedules ordered cancelled.

Cronk & Carrier Mfg. Co. v. G., M. & N. Ry. Co., 120 I. C. C. 663.

495. Rate charged on wooden handles, in carloads, from Meridian and Pyland, Miss., to Montour Falls, N. Y., found applicable. Complaint dismissed.

National-American Wholesale Lumber Asso. v. A. C. L. R. R. Co., 120 I. C. C. 665.

496. Carload of lumber shipped from Charleston, S. C., to Armory, Mass., reconsigned from Boston, Mass., found overcharged. Reparation awarded.

Peninsular Telephone Co. v. S. Ry. Co., 120 I. C. C. 669.

497. Rate on wooden insulator pins and brackets, in carloads, from Charlottesville, Va., to Tampa, Fla., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Thomas Traffic Co. v. L. A. & S. L. R. R. Co., 120 I. C. C. 671.

498. Rate charged on 44 carloads of petroleum refined oil from O'Donnell Spur, Calif., to Wilmington, Calif., for export, found not unreasonable. Complaint dismissed.

Sheaffer & Marvel v. B. & O. R. R. Co., 120 I. C. C. 673.

499. Rates on eggs, in carloads, from Brownwood and Killeen, Tex., to Philadelphia, Pa., found to have been unreasonable. Reparation awarded.

Fraser v. B. & O. R. R. Co., 120 I. C. C. 675.

500. Rate charged on a carload of cotton linters from Cooper, Tex., to Newburgh, N. Y., found inapplicable. Reparation awarded.

Tomkins-Summer Co. v. C., M. & St. P. Ry. Co., 120 I. C. C. 677.

501. Rate assailed on bones, horns, and hoofs, in mixed carloads, from El Paso, Tex., to Chicago, Ill., found unreasonable. Reparation awarded.

Dreifus Co. v. P. R. R. Co., 120 I. C. C. 680.

502. Rate on scrap iron, in carloads, from East Radford, Va., to Brackenridge and Pittsburgh, Pa., and Steubenville, Ohio, found to have been unreasonable. Reparation awarded.

Duluth Chamber of Commerce v. C. & N. W. Ry. Co., 120 I. C. C. 683.

503. Rates on butter, eggs, and dressed poultry, in carloads and less than carloads, from points in North Dakota, South Dakota, Nebraska, and Minnesota to Duluth, Minn., found unreasonable, unduly prejudicial to Duluth, and un-

duly preferential of Chicago, Ill. Reasonable and nonprejudicial bases of rates prescribed.

504. Concentration arrangements on dairy products in effect in South Dakota and Nebraska found unduly prejudicial to Duluth and unduly preferential of Chicago. Undue prejudice and preference ordered removed.

Maloney v. B. & O. R. R. Co., 120 I. C. C. 705.

505. Rate charged on sawdust, in carloads, from Clarksburg, W. Va., to Newark, N. J., found unreasonable. Reparation awarded.

Gulf Production Co. v. W. F. & S. R. R. Co., 120 I. C. C. 709.

506. Rate collected on a carload of lumber from Breckenridge, Tex., to Kaw, Okla., found unreasonable. Reasonable rates prescribed and reparation awarded.

Beggs & Cobb v. B. & M. R. R. 120 I. C. C. 711.

507. Rates on liquid tanning (quebracho) extract from Brooklyn, N. Y., to Winchester and Peabody, Mass., not shown to be unreasonable. Complaint dismissed.

Kansas City Oxygen Gas Co. v. C. B. & Q. R. R. Co., 120 I. C. C. 715.

508. Charges on shipments of calcium carbide from Keokuk, Iowa, to Kansas City, Mo., found applicable. Complaint dismissed.

Racine Crushed Stone Co. v. C., M. & St. P. Ry. Co., 120 I. C. C. 717.

509. Rate on crushed stone, in carloads, from Racine, Wis., to Chicago and other points in Illinois, found not unjust or unreasonable. Complaint dismissed.

Disbrow & Co. v. Director General, 120 I. C. C. 720.

510. Rates charged on Compo-board, in carloads, from Minneapolis, Minn., to Omaha, Nebr., found not unreasonable. Complaint dismissed.

Nelson Fuel Co. v. C. & O. Ry. Co., 120 I. C. C. 723.

511. Rates on coal, in carloads, from mines on the Greenbrier & Eastern Railroad to interstate destinations found unreasonable and unduly prejudicial during the period from March 2, 1922, to April 18, 1925, both dates inclusive. Reparation awarded. Former reports, 83 I. C. C. 737, 96 I. C. C. 124.

American Cement Tile Mfg. Co. v. A. & A. R. R. Corp., 120 I. C. C. 730.

512. Rates on cement building or roofing slabs reinforced with metal, in straight carloads, or in mixed carloads, with roofing cement (other than liquid) and/or asphaltum, from Lincoln, N. J., to points in trunk-line and New England territories, found not unreasonable in the past but unreasonable for the future. Reasonable basis prescribed.

Estimated Weights on Carrots, 120 I. C. C. 733.

513. Proposed increased estimated weights on carrots from points on the Illinois Central and Yazoo & Mississippi Valley to northern, eastern, and western points, found justified. Order of suspension vacated and proceeding discontinued.

Armour & Co. v. C. & N. W. Ry. Co., 120 I. C. C. 737.

514. Shipments of live hogs, in carloads, from Sioux City, Iowa, to Jersey City, N. J., and New York, N. Y., found to have been overcharged. Reparation awarded.

Chicago Heights Mfrs. Asso. v. P. R. R. Co., 120 I. C. C. 739.

515. Charges assessed on shipments of manganese-steel scrap, in carloads, from New Castle, Del., to Chicago Heights, Ill., found unreasonable and reparation awarded on basis of the rate prescribed in *Same v. Same*, 92 I. C. C. 194.

Racine Crushed Stone Co. v. C., M. & St. P. Ry. Co., 120 I. C. C. 742.

516. Shipments of sand and gravel from Beloit, Wis., to Beach and Waukegan, Ill., and Kenosha, Wis., found not to have been misrouted and the rates charged on such shipments found not unreasonable or otherwise unlawful. Complaint dismissed.

Bissinger & Co. v. G. N. Ry. Co., 120 I. C. C. 745.

517. Rates on green and green-salted hides and pelts, and tallow, in straight and mixed carloads, from Wenatchee, Wash., to Portland, Oreg., found un-

reasonable. Reparation awarded. Rates from Billings, Butte, and Missoula, Mont., to be readjusted.

Cardosi & Co. v. B. & O. R. R. Co., 122 I. C. C. 1.

518. Rate charged on a carload of cabbage from St. Elmo, Ala., to Lima, Ohio, found unreasonable. Reparation awarded.

Peyton Packing Co. v. A. & S. Ry. Co., 122 I. C. C. 3.

519. Rates on green salted hides, in carloads, from El Paso, Tex., to Kansas City, Mo., St. Louis, Mo., Chicago, Ill., and Los Angeles and San Francisco, Calif., and points basing thereon or taking the same rates, found not unreasonable or unduly prejudicial.

520. Rates on glue stock, in carloads, from El Paso, Tex., to Chicago, Ill., and St. Louis, Mo., found unreasonable.

521. Rate on tankage and dried blood, in carloads, from El Paso, Tex., to Los Angeles, Calif., and points taking same rates found not unreasonable or unduly prejudicial.

522. Rates from El Paso on soap stock to Los Angeles and points taking same rates and on inedible tallow to Los Angeles and San Francisco and points taking same rates found unreasonable.

523. Rate on edible tallow, in carloads, from El Paso, Tex., to Los Angeles, Calif., found unreasonable.

524. Rates on tin cans, in carloads, from Kansas City, Mo., St. Louis, Mo., New Orleans, La., and points taking rates related thereto, to El Paso, Tex., found not unreasonable or unduly prejudicial.

Murphysboro Paving Brick Co. v. M. & O. R. R. Co., 122 I. C. C. 15.

525. Reparation denied on 10 carloads of paving brick from Murphysboro, Ill., to Hickman, Ky., which moved prior to general readjustment of rates on brick and clay products in southern territory. Complaint dismissed.

Jones Construction Co. v. L. & N. R. R. Co., 122 I. C. C. 18.

526. Rates charged on graders' outfits with livestock, in carloads, and excess livestock, in less than carloads, from Hazlehurst, Miss., to Hartselle, Ala., found unreasonable. Reparation awarded.

Eastern salt cases, 122 I. C. C. 21.

527. Proposed increases in rates on rock salt, in bulk, in carloads, incident to the establishment of the uniform carload minimum, found not justified. Suspended schedules ordered canceled.

528. Rates on salt, in carloads, from New York producing points to destinations in trunk-line territory and New England found, with some exceptions, unreasonable. Reasonable rates prescribed for the future.

529. Rates on salt, in carloads, from producing points in Michigan and Ohio to destinations in trunk-line territory and New England found unreasonable. Reasonable rates prescribed for the future, following *Salt Cases of 1923*, 92 I. C. C. 388.

Clinchfield Coal Corp. v. C., C. & O. Ry., 122 I. C. C. 37.

530. Rate on coal, in carloads, from Dante and Clinchfield, Va., to Lambert Point, Va., for transshipment, found unduly prejudicial. Nonprejudicial rate relationship prescribed for the future.

Automatic train-control devices, 122 I. C. C. 45.

531. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

532. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Kassebaum & Son v. N. Y., N. H. & H. R. R. Co., 122 I. C. C. 59.

533. Rate charged on a carload of granite monuments and parts thereof from Quincy Adams, Mass., to Aurora, Ind., found applicable but unreasonable. Reparation awarded.

Transcontinental Oil Co. v. C. R. R. Co. of N. J., 122 I. C. C. 61.

534. Rate charged on various shipments of petroleum products, in carloads, from Bayonne and Tremley Point, N. J., to Fresh Pond, N. Y., found unreasonable. Reparation awarded.

Milne Lumber Co. v. C. R. R. Co. of N. J., 122 I. C. C. 67.

535. Demurrage charges collected for the detention at Roselle, N. J., of a carload of lumber originating at Pontotoc, Miss., found to have been in excess of those applicable. Refund of overcharge directed and complaint dismissed.

Orford Soap Co. v. N. Y., N. H. & H. R. R. Co., 122 I. C. C. 71.

536. On complaint that 14 carload shipments of soap and cleaning compounds moving from Manchester, Conn., to Cincinnati, Ohio, and St. Louis, Mo., during the period January 9 to March 12, 1924, were misrouted, *found* that the shipments tendered on and after February 5, 1924, were not misrouted, and that the shipments moving prior to that date were misrouted. Reparation awarded.

Absorption of switching charges, 122 I. C. C. 73.

537. Proposed cancellation by respondent of its absorption of switching charges of connecting lines on grain, seeds, and hay at North Kansas City, Mo., found justified. Proceeding discontinued.

Riegel Sack Co. v. C. R. R. Co. of N. J., 122 I. C. C. 78.

538. Rates charged on burlap bags, cotton-lined burlap bags, and cotton bags, in straight or mixed carloads, from Jersey City, N. J., to Philadelphia, Pa., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

Ind. Chamber of Commerce v. A., T. & S. F. Ry. Co., 122 I. C. C. 81.

Upon complaints bringing in issue the rates on articles in the uniform brick list or on hollow building tile only, in carloads, from producing points in Indiana and Illinois to the Chicago switching district, *found*:

539. That the interstate rates on hollow building tile from St. Anne, Kankakee, and Beaverville, Ill., are unreasonable to the extent indicated;

540. That the interstate rate on articles in the uniform brick list from Hobart, Ind., is not unreasonable; and

541. That the rates (a) on intrastate shipments of hollow building tile from St. Anne, Kankakee, and Beaverville, and (b) on interstate and intrastate shipments of articles in the uniform brick list from Chicago Heights, Ill., are unduly preferential of those points and unduly prejudicial to Indiana producing points in the Wabash Valley group and to Hobart, respectively.

542. Reasonable and nonprejudicial bases prescribed.

Fall River Chamber of Commerce v. B. & O. R. R. Co., 122 I. C. C. 100.

543. First-class any-quantity rating applied under official classification on "flat cotton twine" and under official and western classifications on "round braided twine" found to be applicable and not unreasonable, unduly prejudicial, or otherwise unlawful. Complaint dismissed.

Washington Building Lime Co. v. A. & B. B. R. R. Co., 122 I. C. C. 105.

544. Upon further hearing, *found*, that Sandusky, Carey, Woodville, and certain other lime-producing points in northwestern Ohio should be treated as a single group in applying distance scale of rates on lime, in carloads, prescribed in original report, 112 I. C. C. 7.

Texas Co. v. C., B. & Q. R. R. Co., 122 I. C. C. 109.

545. Rates on gasoline, in carloads, from Casper, Wyo., to Ogden, Price, Provo, and Salt Lake City, Utah, found to have been unreasonable between November 20, 1923, and December 21, 1924. Reparation awarded.

Milne Lumber Co. v. S. Ry. Co., 122 I. C. C. 113.

546. Demurrage charges assessed at Evansville, Ind., on a carload of lumber shipped from West Green, Ga., found applicable. Complaint dismissed.

Childers v. A., T. & S. F. Ry. Co., 122 I. C. C. 116.

547. First-class rating and rates on hand-laundry washers, in less than carloads, found not unreasonable. Complaint dismissed.

Ky. Lumber Co. v. L. & N. R. R. Co., 122 I. C. C. 119.

548. Rates charged on lumber, in carloads, from Sulligent, Ala., to Wallins, Evarts, Baxter, Harlan, and Livingston, Ky., found applicable. Shipment to Poor Fork, Ky., found overcharged. Refund of overcharge directed. Complaint dismissed.

Standard time zone investigation, 122 I. C. C. 122.

549. Previous orders, and particularly the twelfth supplemental report herein, 91 I. C. C. 686, defining limits of United States standard Eastern and Central time zones modified so as to include Cincinnati and Middletown, Ohio, and portions of Ohio, Kentucky, and West Virginia in the Eastern time zone.

Holden Paper Co. v. E. R. R. Co., 122 I. C. C. 130.

550. Rate on printing paper, in carloads, from Newburgh and Salisbury Mills, N. Y., to Montclair, N. J., found unreasonable. Reasonable rate prescribed for the future. Reparation awarded.

Rates on chert, clay, sand, and gravel, 122 I. C. C. 133.

551. Maximum reasonable interstate rates on single-line and joint-line distance scales prescribed on sand, gravel, crushed stone, and slag, for uniform application over standard lines from Montgomery, Ala., and Chattanooga, Tenn., to destinations in Georgia and Mississippi, between points in Georgia, and between points in Georgia and other points in southern territory, except points in Florida.

552. Certain so-called short lines accorded arbitrariness over the rates prescribed for standard lines.

553. Rates on gravel from Montgomery, Ala., and Chattanooga, Tenn., to destinations in Georgia and Mississippi also found unduly prejudicial to the extent they exceed, distance considered, rates contemporaneously maintained on slag from Birmingham and certain other Alabama points to same destinations.

554. Proposed increased rates on slag from Copperhill, Tenn., to points in Georgia, found not justified and ordered canceled, without prejudice to establishment of rates on basis found reasonable.

555. Complaint in No. 17689 dismissed.

556. Intrastate rates in Mississippi not shown to result in undue prejudice to complainants.

Sioux City Stock Exch. v. C. & N. W. Ry. Co., 122 I. C. C. 177.

557. Rules governing livestock from points north and west of Sioux City, Iowa, stopped at Omaha, Nebr., or Sioux City, unloaded and reforwarded to points beyond, found not unreasonable nor unduly prejudicial, except that the collection of a reconsignment charge in addition to the rates to and from Sioux City or Omaha, and the refusal to apply the through rate because of change in ownership, are found unreasonable; and that the granting by the Chicago, Burlington & Quincy at Omaha of certain transit arrangements on livestock from points north and west of Sioux City, while contemporaneously denying similar arrangements at Sioux City, is found unduly prejudicial. Under prejudice ordered removed.

Mfrs. Traffic Bureau v. B. Ry. Co., 122 I. C. C. 188.

558. Rates on silica sand, in carloads, from the Ottawa district in northern Illinois to St. Joseph and Benton Harbor, Mich., found not unreasonable nor otherwise unlawful. Complaint dismissed.

Agricultural implements, 122 I. C. C. 191.

559. Proposed rates on agricultural implements, in carloads, from producing points in the Southeast to Mississippi and Ohio River crossings, including St. Louis, Mo., and Mississippi Valley territory, found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with the views expressed herein.

Cement rates from southern points, 122 I. C. C. 195.

560. Proposed increased rates on cement, in carloads, from Birmingham, Ala., and other southern cement-producing points, to destinations on the Tallulah Falls Railway, and from Fordwick, Va., to destinations on the Elkin & Alleghany Railroad, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Zimmerman-Wells-Brown Co. v. Director General, 122 I. C. C. 199.

561. Rate charged on a carload of secondhand wire rope from Globe, Ariz., to Portland, Oreg., found inapplicable. Reparation awarded.

Gay, Sullivan & Co. v. A. G. S. R. R. Co., 122 I. C. C. 201.

562. Commodity rates on cowpeas, in carloads and less than carloads, from certain points in South Carolina to New Orleans, La., found unreasonable. Maximum reasonable rates for the future prescribed. Reparation awarded.

Midwest Refining Co. v. G. N. Ry. Co., 122 I. C. C. 205.

563. Charges assessed on nine carloads of copper wire, in coils, and copper-wire strand, on reels, from Black Eagle, Mont., to Salt Creek, Wyo., found unreasonable. Reparation awarded.

Restrictions in routing of westbound transcontinental traffic, 122 I. C. C. 208.

564. Finding in former report, 115 I. C. C. 357, that the proposed elimination of the Salt Lake & Utah as an intermediate participating carrier in routing of westbound transcontinental traffic was justified and that the refusal of defendants to include the Salt Lake & Utah as an intermediate participating carrier in routing of eastbound transcontinental traffic was not unreasonable or otherwise unlawful, affirmed on reargument.

Harding Glass Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 217.

565. Rates on window glass, in carloads, from Fort Smith, Ark., and Okmulgee, Okla., and on rough-rolled glass, in carloads, from Okmulgee to destinations in Texas, found not unreasonable, unjustly discriminatory, or unduly prejudicial, except to Gainesville, Sweetwater, and San Antonio, Tex. Rates to the latter points found unduly prejudicial. Nonprejudicial bases of rates prescribed.

White Eagle Oil & Refining Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 223.

566. Rate on lubricating oil, in tank-car loads, from Galena, Port Arthur, and West Port Arthur, Tex., to Topeka, Kans., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rate prescribed for the future. Reparation awarded.

Cooperative Oil & Paint Co. v. Director General, 122 I. C. C. 227.

567. Upon further hearing finding in former report, 88 I. C. C. 747, that the rates charged on roofing and paving material, in carloads, from St. Louis and Kansas City, Mo., Cleveland and Lockland, Ohio, and Chicago, Aurora, Madison, Marseilles, and East St. Louis, Ill., to Little Rock, Ark., were not unreasonable or otherwise unlawful, affirmed. Complaint dismissed.

Okla. Paper Co. v. M.-K.-T. R. R. Co., 122 I. C. C. 229.

568. Rate on box board, in carloads, from Denver, Colo., to Oklahoma City, Okla., found not unjust and unreasonable. Complaint dismissed.

Llewellyn Iron Works v. A., T. & S. F. Ry. Co., 122 I. C. C. 232.

569. Rates on fluorspar, in carloads, from Mesilla Park, N. Mex., to Torrance, Calif., found to have been unreasonable. Reparation awarded.

Grain and Grain Products, 122 I. C. C. 235.

570. Proposed changes in rates, mainly increased rates, on grain, including flaxseed, and grain products from, to, and between points in Minnesota, North Dakota, South Dakota, Iowa, Wisconsin, and Illinois, principally from North Dakota and Minnesota to certain of the larger terminal markets, found not justified. Suspended schedules ordered canceled.

571. Complaints as to the reasonableness of rates on grain and grain products from North Dakota and South Dakota points and on flaxseed from North Dakota points to Minneapolis and Duluth, Minn., and various other markets, and alleging that the rate adjustment on these commodities from Minnesota points to Duluth and Minneapolis, Minn., and points taking the same rates, result in undue prejudice to North Dakota and South Dakota points and to complainants and shippers in those States, in undue preference to Minnesota points and shippers and in unjust discrimination against interstate commerce, reserved for consideration in connection with No. 1700, Part 7, *Grain and Grain Products within Western District*.

572. Conclusions herein reached are without prejudice to any modifications that may be found necessary in the consideration of No. 17000, Part 7.

Pacific Tank & Pipe Co. v. S. P. Co., 122 I. C. C. 284.

573. Rate charged on shipments of wooden water pipe, in carloads, during October and November, 1923, from Sather, Calif., to Ajo, Ariz., found unreasonable. Reparation awarded.

Pendleton & Gilkey v. C. & O. Ry. Co., 122 I. C. C. 287.

574. Rate charged on a carload of cedar posts from spur 28, Minn., to Gaston, Ind., found inapplicable. Reparation awarded.

Indianapolis Board of Trade v. C., I. & L. Ry. Co., 122 I. C. C. 289.

575. Rates on grain from points in Indiana on the Chicago, Indianapolis & Louisville to Chicago, Ill., when reshipped over lake or lake-and-rail lines, found not unreasonable or otherwise unlawful. Complaint dismissed.

Fredonia Linseed Oil Works Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 291.

576. Rate on linseed oil, in carloads, from Fredonia, Kans., to Kansas City, Mo., found unreasonable. Reasonable rate prescribed for the future, and reparation awarded.

Dallas Paper Co. v. C. & N. W. Ry. Co., 122 I. C. C. 295.

577. Mixed-carload shipment of paper articles from Green Bay, Wis., to Tulsa, Okla., found to have been overcharged. Refund directed and complaint dismissed.

Liberty Cooperage & Lumber Co. v. S. Ry. Co., 122 I. C. C. 297.

578. Unreasonable rate found to have been charged on two carloads of basket tops shipped from Ellisville, Miss., to Cleveland, Ohio, reconsigned to North East, Pa. Reparation awarded.

Toberman Mackey Co. v. C., B. & Q. R. R. Co., 122 I. C. C. 299.

579. Rate on hay in carloads, from certain points in Illinois to St. Louis, Mo., found inapplicable and rates on the same commodity, in carloads, from other points in Illinois to the same destination found unreasonable. Reparation awarded.

Grain and grain products, 122 I. C. C. 301.

580. Proposed increased rates on grain and grain products between Kansas and Oklahoma found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Mayer & Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 305.

581. Rates on hogs and cattle, in carloads, from South St. Paul, Minn., originating beyond, and from Sioux Falls, S. Dak., and Sioux City, Iowa, to Madison, Wis., found not unreasonable but unduly prejudicial. Undue prejudice required to be removed and reparation denied.

Public Service Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 316.

582. Rates on gas oil, in tank-car loads, from the midcontinent field in Oklahoma to York, Nebr., found unreasonable. Reparation awarded.

Granite, marble, and stone, 122 I. C. C. 319.

583. Proposed rates on granite, marble, and stone, except carved, lettered, polished, or traced, in carloads, from eastern points to Madison, Wis., St. Paul and Duluth, Minn., and other western destinations, found not justified. Proposed rates on granite, marble, and stone, carved, lettered, polished, or traced, in carloads, found justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein.

Pensacola Gas Co. v. L. & N. R. R. Co., 122 I. C. C. 326.

584. Rates on coal, in carloads, from Straven and Aldrich, Ala., to Pensacola, Fla., found not unreasonable. Complaint dismissed.

Newsome Feed & Grain Co. v. P. & L. E. R. R. Co., 122 I. C. C. 329.

585. Rate on middlings, in carloads, from New Castle, Pa., to Pioneer, Ohio, found not unreasonable. Complaint dismissed.

Federal Rubber Co. v. C. & N. W. Ry. Co., 122 I. C. C. 331.

586. Rates charged on carload and less-than-carload shipments of pneumatic rubber tires from Cudahy, Wis., to St. Louis, Mo., found applicable. Complaint dismissed.

Pan American Wall Paper & Paint Co. v. C., R. I. & P. Ry. Co., 122 I. C. C. 333.

587. Rate on wall paper, in carloads, from Joliet, Ill., to Dallas, Tex., found not unreasonable. Complaint dismissed.

Continental Oil Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 335.

588. Rates charged on gasoline, in carloads, from Florence, Colo., to destinations in Utah, found unreasonable. Reparation awarded.

Iola Cement Mills Traffic Asso. v. A., T. & S. F. Ry. Co., 122 I. C. C. 337.

589. Interstate rate of 11 cents per 100 pounds on cement, in carloads, from points in the Kansas gas belt to certain destinations in the Kansas City, Mo.-Kans., switching district found not unreasonable.

590. Undue prejudice of Kansas gas-belt points and undue preference of Cement City (Sugar Creek), Mo., and Bonner Springs and Sunflower, Kans., found to result from the relation of interstate rates on cement, in carloads, from those points to said destinations.

591. Undue prejudice of Kansas gas-belt points, undue preference of Cement City (Sugar Creek), Bonner Springs and Sunflower, and unjust discrimination against interstate commerce, found to result from the relation of said interstate rate from Kansas gas-belt points and intrastate rates on like traffic from Cement City (Sugar Creek), Bonner Springs, and Sunflower to said destinations.

592. Undue prejudice, undue preference, and unjust discrimination ordered removed.

Allen & Co. v. B., C. & A. Ry. Co., 122 I. C. C. 351.

593. Charges assessed by defendant rail carriers for the hauling of ice in bunkers to point of loading of perishable produce shipped in carloads in express refrigerator cars from points in the Delaware-Maryland-Virginia peninsula to destinations in the United States east of the Mississippi River and north of the Ohio and Potomac Rivers, and in Canada, found to have been properly collected, and not unlawful.

594. Charges for furnishing ice in connection with refrigeration or icing protection of complainants' shipments found to have accrued for the benefit of private ice companies not subject to our jurisdiction.

595. Rule 16 (j) and (l) of express classification found not unreasonable or otherwise unlawful.

596. Present rules of defendant express company governing reconsignment and diversion, as applied to carload shipments of perishable produce from the Delaware-Maryland-Virginia peninsula to the destination territory covered by this report, found unreasonable in so far as they provide that such orders when given by shipper must be filed with the express company's agent "at point of origin." Restriction ordered removed.

North Ontario Packing Co. v. O.-W. R. R. & N. Co., 122 I. C. C. 360.

597. Rates charged on fresh berries, preserved in sugar, in barrels, in carloads, since February 3, 1922, from Seattle and Tacoma, Wash., Portland, East Portland, Salem, and Eugene, Oreg., to Los Angeles, Calif., found applicable, but unreasonable. Reasonable rates prescribed for the future and reparation awarded.

Florence Chamber of Commerce v. L. & N. R. R. Co., 122 I. C. C. 367.

598. Rates on furniture, in carloads, from Fort Smith, Ark., to Florence, Sheffield, and Tusculumbia, Ala., found not unreasonable or unjustly discriminatory, but unduly prejudicial. Undue prejudice ordered removed. Reparation denied.

599. Fourth-section relief denied.

Lynchburg Chamber of Commerce v. N. O. & N. E. Ry. Co., 122 I. C. C. 371.

600. Rate charged on three less-than-carload shipments of rice from New Orleans, La., to Lynchburg, Va., found not unreasonable, unduly prejudicial, or unjustly discriminatory. Complaint dismissed.

Rates on classes and commodities, 122 I. C. C. 373.

601. Rates prescribed by the Railroad Commission of Texas in its order dated July 6, 1923, for application between the Fort Bliss, Tex., military reservation and other points in Texas found not to be such as would result in undue prejudice to interstate commerce and undue preference of intrastate commerce.

Armour & Co. v. C., M. & St. P. Ry. Co., 122 I. C. C. 380

602. Rates on crude glycerine (concentrated spent lye) from Milwaukee, Wis., to Union Stock Yards, Chicago, Ill., found unreasonable. Reparation awarded.

Mid-west Fruit Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 383.

603. Rate charged on a carload of sweet potatoes from Wybark, Okla., to Hutchinson, Kans., found unreasonable. Reparation awarded.

Dagostin & Angelini Bros. v. L. & N. R. R. Co., 122 I. C. C. 385.

604. Rate on crushed marble, in sacks, in carloads, from Geantt's Quarry, Ala., to Biloxi, Miss., found unreasonable. Reparation awarded.

Jackson Traffic Bureau v. A. & V. Ry. Co., 122 I. C. C. 387.

605. Proportional rates on grain and grain products from Mississippi River gateways and points west thereof to destinations on the Gulf & Ship Island found not unreasonable or otherwise unlawful.

606. Failure of defendants to permit milling in transit at Jackson, Miss., on grain and grain products from Mississippi River gateways and points west thereof to destinations on the Gulf, Mobile & Northern and in the Southeast found not unreasonable or otherwise unlawful and to certain destinations on the Louisville & Nashville found unreasonable and unduly prejudicial.

607. Defendants allowed 60 days within which to file schedules in conformity with findings herein.

Grain and grain products, 122 I. C. C. 393.

608. Proposed rates on grain and grain products, in carloads, from points in South Dakota to Omaha, Nebr., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Fox Paper Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 399.

609. Rates on wrapping paper and paper articles, in carloads, from Cincinnati, Ohio, to destinations in Missouri, Kansas, Iowa, Nebraska, and Colorado, found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future.

Tulsa Rig, Reel & Mfg. Co. v. M.-K.-T. R. R. Co., 122 I. C. C. 405.

610. Shipments of structural iron and steel, in carloads, from Indiana Harbor, Ind., to Casper, Wyo., fabricated in transit, found to have been overcharged and refund directed.

611. Rates on like shipments from St. Louis, Mo., Chicago, Ill., and Bethlehem, Pa., to Casper, Wyo., and Salt Creek, Wyo., found applicable and not unreasonable. Complaint dismissed.

Van Dyke Motor Co. v. M. P. R. R. Co., 122 I. C. C. 411.

612. Rates charged on shipments of automobiles and extra parts from South Bend, Ind., to Pueblo, Colo., found not unreasonable. Complaint dismissed.

Rules for inspection of locomotives propelled by power other than steam power, 122 I. C. C. 414.

613. Order of December 14, 1925, approving rules and instructions for the inspection and testing of locomotives propelled by power other than steam power in accordance with the locomotive-inspection act, as amended, applies to (a) electric railways which are subject to the interstate commerce at and which are not street, suburban, or interurban railways, and (b) street, suburban, and interurban electric railways operated as parts of general railroad systems of transportation.

614. The locomotive-inspection act, as amended, applies to any locomotive used or permitted to be used on the line of any carrier subject thereto.

International Paper Co. v. B. & O. R. R. Co., 122 I. C. C. 440.

615. Rates on wood pulp from Philadelphia, Pa., and Baltimore, Md., to Fort Edward, N. Y., found not unreasonable. Complaint dismissed.

Reparation on intrastate traffic, 122 I. C. C. 443.

616. The commission has jurisdiction to approve after August 31, 1920, an award of reparation made by State authority on intrastate traffic which moved during the period March 1 to August 31, 1920.

Whittemore's Sons v. N. Y., N. H., & H. R. R. Co., 122 I. C. C. 451.

617. Rates on anthracite coal from points in Pennsylvania to West Roxbury, Mass., found not unreasonable or unduly prejudicial.

618. Rates on anthracite coal to Bemis station, Watertown, Mass., and on bituminous coal to Roxbury, Boylston Street, and Forest Hills, Mass., from

points in Pennsylvania and West Virginia found not unreasonable but unduly prejudicial. Complainants not shown to have been damaged as the result of the undue prejudice, which has been corrected, except at Bemis station. Undue prejudice at the latter point ordered removed.

619. Fourth-section relief granted by the commission's order No. 9320, dated May 15, 1926.

Cudahy Packing Co. v. U. P. R. R. Co., 122 I. C. C. 459.

620. Rates on inedible tallow, in tank-car loads, from North Salt Lake, Utah, to Chicago, Ill., and Kansas City, Kans., found unreasonable and the rate to Chicago found to be in violation of the fourth section. Reparation awarded.

Standard Pipe Line Co. v. T. & P. Ry. Co., 122 I. C. C. 463.

621. Rates on boilers, pumps, heaters, and engines, in carloads, from points in defined territories to destinations in Louisiana and Arkansas, and between points in Louisiana and Arkansas, found not unreasonable or otherwise unlawful. Complaint dismissed.

Saline County Coal Corp. v. C., M. & St. P. Ry. Co., 122 I. C. C. 467.

622. Rate charged on bituminous-coal screenings, in carloads, shipped from Harrisburg, Ill., to Sioux City, Iowa, between August 7 and 15, 1923, found unreasonable. Reparation awarded.

Saline County Coal Corp. v. C. & N. W. Ry. Co., 122 I. C. C. 469.

623. Rate charged for the transportation of two carloads of bituminous-coal screenings shipped from Harrisburg, Ill., to Watertown, S. Dak., between August 18 and 21, 1925, found unreasonable. Defendants authorized to waive collection of outstanding undercharges.

Amer. Door & Mfg. Co. v. B. & O. R. R. Co., 122 I. C. C. 471.

624. Rates on wooden doors, in carloads, from Hoquiam, Wash., to destinations in trunk-line and New England territories found unreasonable. Reparation awarded.

Procter & Gamble Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 473.

625. Rates on naphtha, in tank-car loads, from Shreveport, La., to Cincinnati, Ohio, found not unreasonable. Rates on like traffic from Tulsa, Okla., and Wichita Falls, Tex., found not unreasonable in the past but unreasonable for the future. Reasonable rates prescribed.

Powers-Begg & Co. v. W. Ry. Co., 122 I. C. C. 476.

626. Rate on fresh meats, in mixed carloads with packing-house products, from Jacksonville, Ill., to Detroit, Mich., prior to November 5, 1920, found not unreasonable but unduly prejudicial. Reparation denied.

627. Rate on packing-house products, in mixed carloads with fresh meats, from Jacksonville, Ill., to Detroit, Mich., between November 5, 1920, and April 15, 1922, found unreasonable. Reparation awarded.

Stop-Over transit privilege on Cranberries, 122 I. C. C. 479.

628. Proposed cancellation of arrangement for stopping to partially unload interstate carload shipments of cranberries at points in Texas found justified. Order of suspension vacated and proceeding discontinued.

Portland Linseed Oil Works v G. N. Ry. Co., 122 I. C. C. 484.

629. Rates on linseed oil, in carloads, from Portland, Oreg., to Spokane, Tacoma, and Seattle, Wash., and to San Francisco, Paraffin, Berkeley, and Los Angeles, Calif., found not unreasonable or otherwise unlawful. Complaint dismissed.

Harrisonville Brick & Tile Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 489.

630. Rates on common brick from Harrisonville, Mo., to Kansas City, Kans., and Argentine, Kans., between November 15, 1922, and February 21, 1924, found unreasonable. Reparation awarded.

McDonald Chocolate Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 493.

631. Rate on cocoa beans, in carloads, from New York, N. Y., to Salt Lake City, Utah, applicable over ocean-and-rail routes, found not unreasonable or unduly prejudicial. Complaint dismissed.

Baxter & Co. v. S. P. Co., 122 I. C. C. 498.

632. Refusal of defendant to permit transit at Oakland, Calif., on red-cedar poles and piling, in carloads, originating in Oregon and Washington and destined to points in California on defendant's line, found not unreasonable or unduly prejudicial. Complaint dismissed.

La. Oil Refining Corp. v. St. L. & S. W. Ry. Co., 122 I. C. C. 503.

633. Rate of 15.5 cents assessed on shipments of crude oil in tank-car loads, from Verla, Ark. to Shreveport, La., between July 5 and August 31, 1923, found to have been unreasonable and reparation awarded. Rate of 12.5 cents assessed on shipments between September 1 and September 25, 1923, found not unreasonable.

Stanley Lumber Co. v. A. & V. Ry. Co., 122 I. C. C., 506.

634. Rates on lumber, in carloads, from points in Mississippi to Mariemont, Ohio, found unreasonable, Reparation awarded.

Pelham Phosphate Co. v. A. C. L. R. R. Co., 122 I. C. C. 509.

635. Rate on phosphate rock, in carloads, from Brewster, Fla., to Pelham, Ga., found not unreasonable. Complaint dismissed.

Federated Metals Corp. v. B. & O. R. R. Co., 122 I. C. C. 513.

636. Rates on scrap copper and scrap brass, in carloads, from points in official classification territory and certain points in western classification territory to East Liberty, Pittsburgh, Pa., found not unreasonable, with certain exceptions indicated in the report. Complainant not shown to have been damaged by any undue prejudice which may have existed. Reparation denied and complaint dismissed.

N. W. Leather Co. Trust v. M. & O. R. R. Co., 122 I. C. C. 517.

637. Upon further consideration, former report, 118 I. C. C. 37, modified so as to prescribe as reasonable for the future a rate not to exceed 71 cents per 100 pounds on green-salted hides, in carloads, from Meridian, Miss., to Portville, N. Y. Reparation awarded.

Fraser v. A. C. L. R. R. Co., 122 I. C. C. 520.

638. Rates charged on certain interstate shipments of cotton linters billed as cottonseed-hull fiber or shavings from points in Georgia, Alabama, Tennessee, Mississippi, Arkansas, and Pennsylvania to destinations in New York, Pennsylvania, Ohio, and other States, not shown to have been inapplicable. Complaints dismissed.

Anthracite coal investigation, 122 I. C. C. 527.

639. Rates on anthracite coal from mines in Pennsylvania to points in northern New York found unreasonable and, to some points, unduly prejudicial. Just and reasonable rates prescribed. Findings in 104 I. C. C. 514 reversed in part.

640. Proposed increased rates on anthracite coal from mines in Pennsylvania to points in northern New York found not justified. Proposed reduced rates from and to the same points found justified in part. Proceeding discontinued.

641. Reparation denied in No. 16555.

Jessup & Moore Paper Co. v. B. & A. R. R., 122 I. C. C. 543.

642. Rates on wood pulp, in carloads, from Wilmington, Del., to points in New England territory found unreasonable. Scale of maximum reasonable rates prescribed and reparation awarded.

Turpentine & Rosin Producers Asso. v. A. & V. Ry. Co., 122 I. C. C. 549.

643. Former finding that rates on naval stores from producing points in the southwestern group to destinations in central territory were unreasonable and unduly prejudicial, and to Kansas City, Mo., unreasonable, and denying reparation, modified on reconsideration. Original report, 115 I. C. C. 667.

Grain and grain products, 122 I. C. C. 551.

644. Proposed proportional rates from Minneapolis and Duluth, Minn., and points grouped therewith, applicable over the Minneapolis & St. Louis and the Minneapolis, St. Paul & Sault Ste. Marie, respectively, and their eastern rail connections to points in trunk-line and New England territories, on grain and grain products, in carloads, originating in Montana, North Dakota, South

Dakota, and northwestern Minnesota, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Pitch and tar, 122 I. C. C. 573.

645. Proposed increase in the basis of rates on paving and roofing pitch, paving and roofing tar, coal tar, nad oil tar from 70 per cent of sixth class to 80 per cent of sixth class in central territory found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Chicago Heights Mfrs. Asso. v. A., T. & S. F. Ry. Co., 122 I. C. C. 582.

646. Southern classification rating on geographical globes, with or without stands, in boxes, in less than carloads, found unreasonable. Reasonable rating prescribed for the future. Official and western classification ratings found not unreasonable.

Harp v. S. A. L. Ry. Co., 122 I. C. C. 585.

647. Three carloads of watermelons from Daisy and Hagan, Ga., to Jacksonville, Fla., found misrouted. Damages awarded.

Automatic train-control devices, 122 I. C. C. 587.

648. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

649. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Automatic train-control devices, 122 I. C. C. 597.

650. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

651. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Amer. National Live Stock Asso. v. A., T. & S. F. Ry. Co., 122 I. C. C. 609.

652. Rates in the aggregate for the interstate transportation of livestock, in carloads, between points in the territory served by the western and mountain-Pacific groups of carriers, including Illinois and Wisconsin, found not in excess of reasonable maxima.

653. Basis of rates on cattle, hogs, sheep, and goats, in carloads, from and to certain points in Oklahoma, Louisiana, Texas, Arkansas, Kansas, and Missouri prescribed. Reparation on shipments from points in Oklahoma and Texas to Oklahoma City, Okla., denied.

654. Rates on stock cattle, in carloads, from points in Oklahoma and Texas to Missouri River cities and points in Missouri, Iowa, and Nebraska found not in excess of reasonable maxima.

655. Rates on cattle, in carloads, from points in Texas to points in Kansas found not in excess of reasonable maxima, unjustly discriminatory, or unduly prejudicial.

Pears from North Pacific Coast, 122 I. C. C. 642.

656. Proposed increased rates on pears, in crates, boxes, or baskets, in carloads, from Group 4 points in Washington, Oregon, Idaho, and Montana to east-bound transcontinental Groups F, G, and J, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Tanning Extract from Lynchburg, 122 I. C. C. 647.

657. Proposed increased rate on tanning extract, in carloads, from Lynchburg, Va., to Norfolk, Pinners Point, and Portsmouth, Va., proper, found not justified. Proposed increased rates on tanning extract, in carloads, from Lynchburg and Charlottesville, Va., to the same ports for transshipment, through the Panama Canal to destinations on the Pacific coast, found justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein.

Barnett Oil & Gas Co. v. Director General, 122 I. C. C. 651.

658. Upon further consideration of the record herein the findings in our previous report, 93 I. C. C. 85, corrected to include, as points of origin, all oil-producing points in eastern Kentucky.

Florence Chamber of Commerce v. I. C. R. R. Co., 122 I. C. C. 653.

659. Rates on grain and grain products, in carloads, from Ohio and Mississippi River crossings and Mount Vernon, Ind., to Florence, Sheffield, and Tusculumbia, Ala., found unreasonable, unduly prejudicial to those destination points, and unduly preferential of Corinth, Miss. Reasonable and nonprejudicial rates for the future prescribed. Reparation denied.

Central R. R. Co. of N. J. v. N. Y., N. H. & H. R. R. Co., 122 I. C. C. 661.

660. Reestablishment of joint rates on traffic from and to points on the Central Railroad of New Jersey and its connections west of Allentown, Reading, and Harrisburg, Pa. and west of and including Hagerstown, Md., via New York Harbor to and from points on the New York, New Haven & Hartford and Central New England, found not necessary or desirable in the public interest, and failure of defendants to establish such rates found not unduly prejudicial.

661. Failure of defendants to accord to the Central Railroad of New Jersey joint rates via New York Harbor on traffic from and to points in the territories described in the foregoing paragraph, while contemporaneously according joint rates via New York Harbor on such traffic to the Lehigh Valley and Pennsylvania, found to be discriminatory, in violation of paragraph (3), section 3, of the act.

662. Divisions of joint rates on anthracite coal from points on the lines of complainant via Maybrook, N. Y., to points on the New York, New Haven & Hartford and Central New England found not in violation of section 208 (b) of the transportation act, 1920. Reasonableness and fairness of the divisions of joint rates on this traffic via Maybrook and New York Harbor under paragraph (4) of section 1 of the act in issue in Docket No. 11756, and no finding herein made with respect thereto.

Atlas Portland Cement Co. v. Director General, 122 I. C. C. 680.

663. Rates on cement, in carloads, from Ilasco, Mo., to destinations in Illinois, Wisconsin, Michigan, Minnesota, Iowa, South Dakota, Nebraska, Kansas, and Missouri, found not unreasonable or unduly prejudicial. Complaint dismissed.

Spencer Co. v. A., T. & S. F. Ry. Co., 122 I. C. C. 689.

664. Rate charged on gravel, in carloads, from Holliday, Kans., to St. Joseph, Mo., found unreasonable. Reparation awarded and reasonable rate prescribed for the future.

Ogden Grain Exch. v. A. & S. Ry. Co., 122 I. C. C. 691.

665. Rates on grain, in carloads, from points in Utah and points in Idaho, Montana, Oregon, and Wyoming on the Oregon Short Line and Utah Idaho Central to Colorado common points found not unreasonable, except from certain Utah points. Reasonable rates prescribed.

666. Rates on grain and grain products, in carloads, from Colorado common points to destinations in Texas, Oklahoma, Arkansas, Louisiana, and Mississippi found unreasonable. Reasonable rates prescribed.

667. Rates on grain from Colorado common points to destinations in Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Indiana, Kentucky, and Tennessee found not unreasonable.

668. Rates on grain and grain products from representative points of origin in Utah and on the Oregon Short Line and Utah Idaho Central in Idaho and Oregon to points on the lines of defendants in Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Indiana, Kentucky, Tennessee, Mississippi, and Alabama found unduly prejudicial. Nonprejudicial relationship of rates prescribed.

669. Eastbound rates on flour, minimum 40,000 pounds, from the origin territory in Colorado, Utah, Idaho, Montana, Oregon, and Wyoming found unreasonable and unduly prejudicial to the extent exceeding the wheat rates.

670. Rates on grain and grain products, in carloads, from the origin territory in Utah, Idaho, Oregon, Montana, and Wyoming to points on the Denver & Rio Grande Western in Utah and Colorado (west of Colorado common points) found not unreasonable. Prayer for establishment of joint rates from and to these points denied.

671. Fourth-section relief granted to Illinois Central with respect to rates on grain and grain products from points in Utah and points in Idaho on the Oregon Short Line and Utah Idaho Central to St. Louis, Mo., Peoria, Ill., and St. Paul and Albert Lea, Minn., and points grouped therewith, and other points in related rate groups.

Southern Sewer Pipe Works v. L. & N. R. R. Co., 122 I. C. C. 721.

672. Rates charged on various carload and less-than-carload shipments described as clay sewer pipe and sewer-pipe fittings, so cut or shaped that they can be used for the construction of septic tanks and water-meter boxes, from Chattanooga, Tenn., North Birmingham, Ala., and Rome and Macon, Ga., to points in Kentucky, Tennessee, Louisiana, Mississippi, Alabama, Georgia, Florida, North Carolina, and South Carolina, found applicable and not unreasonable.

673. Rate charged on one mixed carload of sewer pipe, sewer-pipe fittings, and five septic tanks from North Birmingham, Ala., to Binghampton, Tenn., found applicable and not unreasonable. Complaints dismissed.

Lumber from Chicago, 122 I. C. C. 726.

674. Proposed increased rates on lumber, in carloads, from Chicago, Ill., and adjacent points to destinations in Illinois and Wisconsin found justified. Order of suspension vacated and proceeding discontinued.

Du Pont de Nemours & Co. v. H. & B. V. R. R. Co., 122 I. C. C. 729.

675. Upon complaint attacking the rates on crude sulphur, in carloads, from Sulphur Mine, La., and Bryanmound and Hoskins, Tex., to Mooar, Iowa, found: (1) That the rates assailed have not been and are not unreasonable; (2) that the rate from Sulphur Mine has been but is not now unduly prejudicial; (3) that the rates from Bryanmound and Hoskins have been, are, and for the future will be unduly prejudicial to the extent indicated in the report; and (4) that complainant is not shown to have been damaged by reason of such undue prejudice. Nonprejudicial rates from Bryanmound and Hoskins prescribed for the future.

Rome Metallic Bedstead Co. v. B. & A. R. R., 122 I. C. C. 733.

676. Minimum carload weight, and charges based thereon, on metallic bedsteads and springs from Rome, N. Y., to points in official territory found not unreasonable or otherwise unlawful. Complaint dismissed.

Duluth Chamber of Commerce v. C., St. P., M. & O. Ry. Co., 122 I. C. C. 739.

677. On further hearing, former finding prescribing reasonable and non-prejudicial rates for the interstate transportation of fresh meats and packing-house products, in carloads, from Duluth to St. Paul, Minn., affirmed. Former report, 98 I. C. C. 352.

Smith Bros. v. B. & O. R. R. Co., 122 I. C. C. 745.

678. Rates on drag-line machinery, in carloads, from Dayton and Tippicanoe City, Ohio, to Tarke, Calif., found not unreasonable. Complaint dismissed.

Plaster and gypsum products, 122 I. C. C. 747.

679. Upon consideration of application for authority to establish rates for the transportation of plaster and gypsum products from points in Iowa, Michigan, and Ohio to destinations in Illinois, Indiana, Wisconsin, and on the west bank of the Mississippi River, lower than to intermediate points: Held, that authority is granted to the extent and subject to the conditions set forth in the report, but in all other instances denied.

Curtis Leather Co. v. P. R. R. Co., 123 I. C. C. 1.

680. Charges on quebracho tanning extract, in carloads, from New York Harbor points to Ludlow, Pa., found inapplicable prior to April 4, 1925, and rate in effect thereafter found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Beaver Dam Chamber of Commerce v. C., M. & St. P. Ry. Co., 123 I. C. C. 5.

681. Rates on coke, bituminous coal, and anthracite from eastern points to Beaver Dam, Wis., found not unreasonable or unduly prejudicial. Complaint dismissed.

Davis George Mfg. Co. v. A. G. S. R. R. Co., 123 I. C. C. 10.

682. Rates assessed on shipments of sheet iron or steel, in carloads, from points in Alabama, Indiana, Illinois, Kentucky, Missouri, Pennsylvania, Virginia, West Virginia, and other interstate points in defined territories to Houston, Tex., found applicable and not unreasonable. Complaint dismissed.

Lynchburg Chamber of Commerce v. N. Y. C. R. R. Co., 123 I. C. C. 15.

683. Rates on printing and wrapping paper, in less than carloads, from Niagara Falls, N. Y., to Lynchburg, Va., found not unreasonable or unduly prejudicial. Complainant not shown to have been damaged by any undue prejudice that may have existed. Complaint dismissed.

Sun Oil Co. v. M.-K.-T. R. R. Co., 123 I. C. C. 17.

684. Rate charged on crude oil shipped in tank-car loads from Dale, Tex., to Sabine Pass, Tex., for coastwise movement, found not unreasonable or otherwise unlawful. Complaint dismissed.

Kansas Flour Mills Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 19.

685. Rate to Denever, Colo., on carload shipments of flour milled in transit at Anthony, Kans., from wheat originating at Hunnewell, Kans., found not unduly prejudicial. Complaint dismissed.

Hartman Ingot Metal Co. v. C., B. & Q. R. R. Co., 123 I. C. C. 20.

686. Rate on brass ingots, in carloads, from Chicago, Ill., to Sturgis, Mich., found not to have been unreasonable. Complaint dismissed.

Hardaway-Cargill Co. v. L. & N. R. R. Co., 123 I. C. C. 23.

687. Rate charged on one carload of cane sirup, in barrels, from Inwood, Fla., to Columbus, Ga., found unreasonable. Reparation awarded.

Cotton Mills Products Co. v. M. S. S. Co., 123 I. C. C. 25.

688. Rate on cotton-factory products from Mobile, Ala., to Rockland, Md., found unreasonable. Reasonable rate prescribed.

Fitger Co. v. D., S. S. & A. Ry. Co., 123 I. C. C. 27.

689. Charges collected on carload and less-than-carload shipments of casks, kegs, and cases containing empty bottles, returned from points in Wisconsin and Michigan, to Duluth, Minn., found unreasonable. Reparation awarded.

Redwood Mfg. Co. v. S. P. Co., 123 I. C. C. 30.

690. Rate charged on three carloads of redwood lumber from Pittsburg, Calif., to Hayden, Ariz., found not to have been unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

Railway-Mail Pay, 123 I. C. C. 33.

691. Winston-Salem Southbound Railway found not to be a separately operated railroad within the meaning of the order entered in *Railway-Mail Pay*, 56 I. C. C. 1.

692. Rates of pay for transportation of mail matter on and after the date application for reexamination was filed found not fair and reasonable. Fair and reasonable rates established.

Crescent Bed Co. v. C., R. I. & P. Ry. Co., 123 I. C. C. 41.

693. Rates on metal beds, in carloads, from New Orleans, La., to destinations in western Louisiana, Arkansas, Oklahoma, and Texas found not unreasonable or unduly prejudicial except that present rates to Oklahoma, Texas common points, and Texas differential territory, minimum 30,000 pounds, are unreasonable. Reasonable rates prescribed.

Grain and grain products, 123 I. C. C. 49.

694. Proposed readjustment in rates on grain and grain products from certain stations on the Northern Pacific in North Dakota to St. Louis, Mo., and Chicago, Ill., and points taking the same rates, found not justified in certain respects. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with findings.

Kohlman Bros. & Sugarman v. L. & N. R. R. Co., 123 I. C. C. 56.

695. Shipments of potatoes, in carloads, from Pablo and Whitehall, Mont., to New Orleans, La., found to have been overcharged. Reparation awarded.

696. Applicable rate found not unreasonable or unduly prejudicial and complainant not shown to have been damaged by fourth-section violation.

Cherry Co. v. C., M. & St. P. Ry., 123 I. C. C. 59.

697. Rates charged on egg-case fillers and related articles, in carloads, from Tama, Iowa, to Siloam Springs and Gravette, Ark., found unreasonable. Reparation awarded.

Birkett Mills v. D., L. & W. R. R. Co., 123 I. C. C. 63.

698. Transit charge of 1.25 cents maintained at New York points in connection with so-called f. o. b. rates on grain and grain products from Erie, Pa., and Buffalo and Oswego, N. Y., to eastern destinations found not unreasonable, but unjustly discriminatory and unduly prejudicial. Defendants' failure to permit transit in connection with so-called at-and-east rates on grain from those ports to the same destinations found not unreasonable, unjustly discriminatory, or unduly prejudicial. Unjust discrimination and undue prejudice ordered removed. Reparation denied.

Root Glass Co. v. E., I. & T. H. Ry. Co., 123 I. C. C. 68.

699. Rates on shipments of glass bottles, in carloads, from Terre Haute, Ind., to Homer, La., found unreasonable. Reparation awarded.

Jackson Traffic Bureau v. A. G. S. R. R. Co., 123 I. C. C. 71.

700. Rate charged for the transportation of a secondhand logging derrick from Russwood, Ala., to Jackson, Miss., found not unreasonable. Complaint dismissed.

Fourth-Section Departures on Salt, 123 I. C. C. 73.

701. Upon consideration of applications for authority to continue departures from the requirements of section 4 of the interstate commerce act in the rates on salt between numerous points described in the report, authority granted in some instances, subject to the conditions named in the report, and in all other instances denied.

Parkersburg Rig & Reel Co. v. C., R. I. & P. Ry. Co., 123 I. C. C. 79.

702. On reconsideration, former finding that rates on rig irons, in carloads, from Parkersburg, W. Va., to destinations in Louisiana, Arkansas, Oklahoma, Kansas, Montana, and California were unreasonable for the future but not unreasonable for the past, modified; specific reasonable rates for the future to Oklahoma, Kansas, Montana, and California prescribed, and reparation awarded on shipments to all six States. Former reports, 95 I. C. C. 181 and 107 I. C. C. 182.

Sunbury Converting Works v. D., L. & W. R. R. Co., 123 I. C. C. 89.

703. Rate charged on engraved copper rolls returned for reengraving, in less than carloads, from Northumberland, Pa., to New York, N. Y., found not unreasonable. Complaint dismissed.

Crook Son & Co. v. N. Y. C. & R. R. Co., 123 I. C. C. 93.

704. Rates charged on logs, in carloads, from Huntertown, Ind., to Hicksville, Ohio, found unreasonable. Reparation awarded.

Blytheville Compress & Warehouse Co. v. M. & O. R. R. Co., 123 I. C. C. 95.

705. Rate charged on castings and forgings, parts of a compress, in carloads, from Meridian, Miss., to Blytheville, Ark., found inapplicable. Reparation awarded.

Consolidated Rendering Co. v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 98.

706. Rate on acid phosphate, in carloads, from Lowell, Mass., to East Windsor, Conn., found not unreasonable or otherwise unlawful. Complaint dismissed.

American Fuel Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 101.

Upon complaint assailing rates on coal, in carloads, found:

707. That rates from Thompson, Utah, to destinations in Utah, Nevada, and California west of Castle Gate, Utah, during Federal control were not unreasonable except to certain destinations on the Western Pacific, Los Angeles & Salt Lake, and Nevada Northern. Complainant has not proved damage by reason of any undue preference of Rock Springs, Wyo., which may have existed in rates to destinations in interior Utah or on the Los Angeles & Salt Lake. Reparations denied.

708. That present rates from Thompson to destinations in Nevada and California are not unreasonable or unduly prejudicial.

709. That defendants' failure to apply the same rates from Sego as apply from Thompson did not and does not result in unreasonable charges but was and is unduly prejudicial to complainant and unduly preferential of complainant's competitors in the Castle Gate district which are accorded junction-

point rates on traffic to destinations west of Castle Gate, Utah, where the gathering service is performed by defendants without charge. No damage shown to have resulted from any undue prejudice found to exist.

710. That refusal to pay interest on complainant's investment in its plant-facility tracks was not and is not in violation of the interstate commerce act.

711. That the Denver & Rio Grande Western should publish appropriate tariff provision therefor so long as it performs the service over complainant's plant-facility tracks.

Allied Packers v. B. & O. R. R. Co., 123 I. C. C. 115.

712. Rates charged on mixed carloads of fresh meats and other products, from Wheeling, W. Va., to certain destinations in Ohio and Pennsylvania found unreasonable. Reparation awarded.

Haas & Co. v. Director General, 123 I. C. C. 121.

713. Through rates on cotton, compressed at Alexandria, La., less published allowance for compression, found applicable on shipments from Jonesboro, Pine Prairie, Mamou, and Alexandria, La., to New Orleans, La.

714. Defendant's failure to provide for greater allowance for compression found to have resulted in unreasonable charges. Reparation awarded.

715. Finding in original report, 98 I. C. C. 619, reversed.

Bituminous Coal from Southern Illinois, 123 I. C. C. 125.

716. Proposed increased rate on bituminous coal, in carloads, from stations on the Cleveland, Cincinnati, Chicago & St. Louis to destinations in Missouri on the St. Louis-San Francisco found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with section 4 of the interstate commerce act. Proceeding discontinued.

Farrell Foundry & Machine Co. v. A., B. & A. Ry. Co., 123 I. C. C. 127.

717. Rates charged on pig iron, in carloads, from points in Alabama, Kentucky, and Tennessee to Ansonia, Conn., found not unreasonable or otherwise unlawful. Complaint dismissed.

Birmingham News Co. v. A., B. & A. Ry. Co., 123 I. C. C. 133.

718. On further consideration, former report 118 I. C. C. 205, which found rates on newsprint paper, in carloads, from Berlin, N. H., to Birmingham, Ala., unreasonable and unduly prejudicial, modified in part and case reopened for further hearing in respect of reasonable and nonprejudicial rates for the future.

American Smelting & Refining Co. v. Director General, 123 I. C. C. 136.

719. Rates charged on two carloads of bulk sawdust, from Danbury, Wis., to Omaha, Nebr., found applicable as to one shipment and inapplicable as to the other. Refund of overcharge directed, and complaint dismissed.

Consolidated Metals Corp. v. M. P. R. R. Co., 123 I. C. C. 139.

720. Rates charged on various iron and steel articles, in carloads, billed as scrap iron, from Little Rock, Ark., to Kansas City, Mo., found inapplicable. Reparation awarded.

Switching at Carthage and Joplin, 123 I. C. C. 141.

721. Proposed increased charges for switching at Joplin and Carthage, Mo., found justified. Proceeding discontinued.

Wooden handles from Arkansas and Missouri, 123 I. C. C. 146.

722. Proposed increased rates on wooden handles, in less than carloads, from producing points in Arkansas and Missouri to destinations in Louisiana and Texas found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Vegetable stearine to Virginia cities, 123 I. C. C. 151.

723. Proposed any-quantity commodity rates on vegetable stearine, other than coconut, from New York, N. Y., Philadelphia, Pa., and Baltimore, Md., rate points to Virginia cities and points taking the same rates found unduly prejudicial. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with conclusions expressed.

Fredonia Linseed Oil Works Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 153.

724. Rates on linseed oil, in carloads, from Fredonia, Kans., to points in Missouri, Illinois, and the northern peninsula of Michigan found unreasonable. Reparation awarded.

725. Rates on the same commodity from Fredonia to points in Indiana, Kentucky, Michigan (except northern peninsula), Ohio, Pennsylvania, and New York found unreasonable to the extent indicated. Reparation awarded.

Chesapeake Western Ry. v. N. & W. Ry. Co., 123 I. C. C. 159.

726. Defendants' failure and refusal to establish through routes and joint rates on coal in carloads, from points on the Virginian Railway and Kanawha, Glen Jean & Eastern Railroad to destinations on complainant's line found not unreasonable or otherwise unlawful. Complaint dismissed.

Chicago Fire Brick Co. v. C. & N. W. Ry. Co., 123 I. C. C. 164.

727. Rates on sand and gravel, in carloads, from Janesville, Afton, and Beloit, Wis., to complainant's plant in the Mayfair district in Chicago, Ill., during the period from July 2, 1923, to November 2, 1923, inclusive, and to complainant's plant in the Weber district in Chicago, during the period from June 19, 1923, to May 24, 1925, inclusive, found not unreasonable or unjustly discriminatory, but unduly prejudicial. Reparation denied.

Chicago Heights Mfrs. Asso. v. P. R. R. Co., 123 I. C. C. 167.

728. Fifth-class rate on foundry flasks from New Castle, Del., to Chicago Heights, Ill., found not unreasonable. Complaint dismissed.

Chicago Coal Merchants Asso. v. Director General, 123 I. C. C. 169.

729. Findings in previous report on reargument, 89 I. C. C. 137, that interstate rates on coal from various producing regions to the Chicago switching district, higher to some delivery points therein than to Chicago proper, were not unreasonable but were unduly prejudicial and preferential to the extent that the rates to the higher-rated points exceeded that flat Chicago rate, modified on further hearing. Nonprejudicial and nonpreferential basis of rates prescribed. Original report herein, 73 I. C. C. 161.

730. Rates on coal from mines in central and southern Illinois to Edgebrook and Morton Grove, Ill., during Federal control, found unreasonable. Reparation awarded.

Bananas from Gulf Ports, 123 I. C. C. 181.

731. Proposed revision of rates on bananas, in carloads, from Gulf ports to southeastern, Carolina, and Mississippi Valley territories, Ohio River crossings, and other southern points found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with our conclusions herein. Proceeding discontinued.

Wuille & Co. v. S., P. & S. Ry. Co., 123 I. C. C. 190.

732. Rate applicable on a carload of apples from White Salmon, Wash., to Phoenix, Ariz., found unreasonable, but not otherwise unlawful. Payment of outstanding undercharges waived and reparation awarded.

Fertilizers and Fertilizer Materials, 123 I. C. C. 193.

Upon further consideration, found:

733. That various other short or weak line carriers in the Southeast may be accorded the same measure of relief as originally given to this class of carriers in our previous report herein, 113 I. C. C. 389.

734. That the relief granted by fourth-section order No. 9346 should be somewhat broadened with respect to the so-called short or weak line carriers.

735. That the Nashville, Chattanooga & St. Louis Railway may add 50 miles as constructive mileage for the river crossing between Hobb's Island and Gunters Landing, Ala.

Philbrick Co. v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 197.

736. Combination rates to and from New Haven, Conn., charged on four carloads of lumber from Denkan, La., D'Lo, Miss., and Hopkins, Ga., shipped to New Haven as the original destination and forwarded thence to Waltham, Bemis, and Lynn, Mass., and Providence, R. I., found applicable. Complaint dismissed.

United States Gypsum Co. v. St. L.-S. F. Ry. Co., 123 I. C. C. 200.

737. Rates charged on plaster, in carloads, from Southard and Eldorado, Okla., to points east of the Mississippi River and south of the Ohio River found inapplicable. Applicable rates found not unreasonable or otherwise unlawful. Reparation awarded.

Consolidated Southwestern Cases, 123 I. C. C. 203.

738. Transportation conditions throughout the Southwest found to be substantially similar and not greatly less favorable than in Kansas, Nebraska, or southern Missouri.

739. Class and commodity rates applying to, from, or between points in the Southwest and Kansas-Missouri territory found to be in generally chaotic condition, and the tariffs there applying complicated and unsatisfactory. Comprehensive system of rates based on distance, and embodying uniform class percentages so adjusted as to permit greater carload movement on class rates, needed to correct the situation.

740. As to all-rail traffic from Oklahoma, Arkansas, western Louisiana, Kansas-Missouri territory, Missouri River cities, Mississippi River gateways, and defined territories to Texas, and from Texas to Oklahoma, Arkansas, and western Louisiana, the Texas common-point rates on articles embraced in No. 14880 found to result in undue prejudice to the complaining northeast Texas cities and in undue preference of other Texas points to the south and west, including the Houston-Galveston group, as indicated.

741. All-rail class and commodity rates on articles embraced in No. 14880 from Mississippi River gateways, Missouri River cities, Kansas-Missouri territory, and defined territories to Texas, Oklahoma, Arkansas, and western Louisiana found to result in undue prejudice to the complaining northeast Texas cities and in undue preference of points in Oklahoma, Arkansas, and western Louisiana as indicated.

742. Class and commodity rates on articles embraced in No. 13535 between Mississippi River gateways, Missouri River cities, and defined territories, on one hand, and points in Oklahoma and in Texas, Arkansas, Kansas, designated portion of Missouri, and western Louisiana, on the other, found to result in undue prejudice to Oklahoma and in undue preference of the other named States or parts of States as indicated.

743. Class and commodity rates on articles embraced in No. 13535 between Oklahoma and designated portions of Kansas and Missouri, in their relations to relatively lower intrastate rates within those portions of Kansas and Missouri, found to result in undue prejudice and preference and in unjust discrimination against interstate commerce as indicated.

744. Class and commodity rates on articles embraced in No. 13535 between Oklahoma and Texas, and on articles embraced in No. 14416 from Little Rock, Ark., to Texas, in their relations to relatively lower rates between Shreveport, La., and Texas, and from Shreveport to Texas, respectively, found to result in undue prejudice and preference as indicated.

745. Class and commodity rates on articles embraced in No. 14880 between Oklahoma and the complaining northeast Texas cities, in their relations to relatively lower intrastate rates in Oklahoma, and on articles embraced in No. 13535 between Oklahoma and points in Texas common-point territory, in their relations to relatively lower intrastate rates within the latter territory, found to result in undue prejudice and preference and in unjust discrimination against interstate commerce as indicated.

746. Class and commodity rates on articles embraced in No. 13535 between Oklahoma and points in Texas differential territory, in their relations to relatively lower intrastate rates within the differential territory and between that territory and Texas common-point territory, found to result in undue prejudice and preference and in unjust discrimination against interstate commerce as indicated.

747. As a whole, intrastate class and commodity rates in Texas, in their relations to corresponding rates between St. Louis, Mo., and Texas, are not shown to result in undue prejudice or preference, but in some instances, such as rates between Houston-Galveston-Beaumont and northern and northeastern Texas, the intrastate rates result in undue preference, to the undue prejudice of shippers and receivers in St. Louis territory.

748. Class and commodity rates on articles embraced in No. 13535 (a) between Oklahoma and Arkansas, in their relations to relatively lower rates between Arkansas, on one hand, and St. Louis, Mo., Memphis, Tenn., and New Orleans, La., on the other; (b) between Oklahoma and western Louisiana in their relations to relatively lower rates between western Louisiana, on one hand, and St. Louis and Kansas City, Mo., and Memphis, on the other; and (c) between Oklahoma and Texas, in their relations to relatively lower rates between Texas, on one hand, and St. Louis and Memphis, on the other; found to result in undue prejudice and preference as indicated.

749. Class and commodity rates on articles embraced in No. 14880 (*a*) between the complaining northeast Texas cities and points in western Louisiana other than New Orleans and Shreveport, in their relations to relatively lower rates between western Louisiana, on one hand, and Memphis, Tenn., and St. Louis and Kansas City, Mo., on the other, and (*b*) between the complaining cities and Arkansas in their relations to relatively lower rates between Arkansas, on one hand, and Memphis, Kansas City, St. Louis, and New Orleans, on the other, found to result in undue prejudice and preference as indicated.

750. Class and commodity rates on articles embraced in No. 13535 between Arkansas and Oklahoma, and on articles embraced in No. 14880 between Arkansas and the complaining northeast Texas cities, in their relations to relatively lower intrastate rates within Arkansas, found to result in undue prejudice and preference and in unjust discrimination against interstate commerce as indicated.

751. Class and commodity rates on articles embraced in No. 13535 between Oklahoma and western Louisiana, and on articles embraced in No. 14880 between western Louisiana and the complaining northeast Texas cities, in their relations to relatively lower intrastate rates in western Louisiana, found to result in undue prejudice and preference and in unjust discrimination against interstate commerce as indicated.

752. Ocean-rail rates between north Atlantic ports and interior trunk-line and eastern defined territory points, on one hand, and points in Kansas and in the Southwest, including Texas differential territory, on the other, via south Atlantic and Gulf ports, found unreasonable and unduly prejudicial and preferential as indicated. Maximum reasonable and nonprejudicial rates prescribed. Findings in *Rates to Southwestern Destinations*, 95 I. C. C. 188, that ocean-rail rates via Gulf ports should not exceed 80 per cent of combinations on those ports and should include marine insurance, overruled.

753. Tariffs naming one-factor through rates between interior trunk-line and eastern defined-territory points and the Southwest and Kansas-Missouri territory without concurrence of the rail lines to the north Atlantic ports, found unlawful.

754. All-rail class and commodity rates on articles embraced in these proceedings should be on same level throughout the Southwest and designated portion of Kansas-Missouri territory; and on standard rail lines a single scale of first-class distance rates should be used as basis for maximum reasonable interstate rates within those areas.

755. Class rates and commodity rates on various individual articles for interstate application from, to, and between points in the Southwest and Texas differential territory, and between points in those territories and points in other States east of the Rocky Mountains, found unreasonable to the extent that they exceed reasonable maximum rates prescribed.

756. Distance or group arbitraries prescribed for application between, from, and to points on Fort Smith & Western Railway, the arbitraries to accrue wholly to that carrier. Procedure for other short or weak lines seeking authority to establish rates higher than standard scale prescribed.

757. Distances computed over the shortest routes over which carload traffic can be moved without transfer of lading required to be used in computing rates under the distance scales prescribed or approved.

758. Reasonable maximum bridge arbitraries or crossing allowances for Mississippi River crossings authorized.

759. Defendants authorized to cancel existing less-than-carload classification exceptions and commodity rates applicable to and from the Southwest and to substitute prescribed class rates, subject to western classification ratings.

760. Manner of removing the undue prejudice and preference as between persons or localities and the unjust discrimination against interstate commerce found to exist, prescribed.

761. Applications for fourth-section relief assigned for hearing in these proceedings denied to extent they are involved, but upon seasonable applications by defendants consideration will be given to entry of orders granting relief from long-and-short-haul provision of fourth section as indicated.

762. Complaints in Nos. 15217, 15231, and 15742 dismissed.

763. Prior report in Investigation and Suspension Dockets Nos. 2097 and 2271, 95 I. C. C. 188; in Investigation and Suspension Dockets No. 1769 and in Nos. 14592 and 14695, 96 I. C. C. 19; and in No. 14717, 96 I. C. C. 303.

Harlem & Morrisiana Trans. Line v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 480.

764. Rate on fresh and frozen fish, in carloads, from Boston, Mass., to New York, N. Y., found not unreasonable or otherwise unlawful. Complaint dismissed.

765. Proposed increased rates on fish bait found justified. Order of suspension vacated and proceeding discontinued.

Minnesota-Atlantic Transit Co. v. C., St. P., M. & O. Ry. Co., 123 I. C. C. 485.

766. Refusal of defendant rail lines at Duluth, Minn., to accord complainant boat line increased divisions for handling carload freight between their cars and the floor of the dock owned by the owner of complainant's capital stock found not unjustly discriminatory, unduly prejudicial, nor in violation of paragraph (4) of section 1 of the act. Complaint dismissed.

Kalamazoo Vegetable Parchment Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 493.

767. Rates on printed and unprinted vegetable parchment and waxed wrapping paper, paper-box board, and plain and waxed paper boxes, printed and unprinted, in carloads, from Kalamazoo, Mich., to points in Indiana, Illinois, and Wisconsin found not unreasonable or otherwise unlawful. Complaint dismissed.

Globe Brick Co. v. P. R. R. Co., 123 I. C. C. 498.

768. Rates charged on brick and articles taking the same rates, in carloads, from designated points in Ohio and West Virginia to Verona, Brackenridge, and Tarentum, Pa., found applicable. Applicable rates found unreasonable. Reasonable rates prescribed for the future. Reparation awarded.

Ex-lake iron ore from Chicago, 123 I. C. C. 503.

769. Finding in original report, 120 I. C. C. 75, that reduced rate on ex-lake iron ore, in carloads, from Chicago, Ill., to Granite City, Ill., had been justified, affirmed on reargument.

Skelly Oil Co. v. M.-K.-T. R. R. Co., 123 I. C. C. 517.

770. Storage charges assessed on private cars of gasoline held on private sidings at Wynona, Okla., and Burkburnett, Tex., found inapplicable. Refund directed, and complaint dismissed.

Wichita Chamber of Commerce v. A., T. & S. F. Ry. Co., 123 I. C. C. 520.

771. Rate on unfinished broom handles, in carloads, from Pellston, Mich., to Wichita, Kans., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Doughty v. A. C. L. R. R. Co., 123 I. C. C. 522.

772. Re-icing charges assessed at Potomac Yard, Va., on two carloads of vegetables from Wilmington and Rocky Point, N. C., to Philadelphia, Pa., found applicable and not unreasonable. Complaint dismissed.

Fredonia Linseed Oil Works Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 525.

773. Rates on flaxseed, in carloads, from points in South Dakota to Fredonia, Kans., found unreasonable and unduly prejudicial, and reasonable and nonprejudicial rates prescribed. Reparation awarded.

Manget Bros. Co. v. G. R. R., 123 I. C. C. 532.

774. Rate on three carloads of cotton from Corinth, Miss., to Monroe, Ga., found not unreasonable or otherwise unlawful. Complaint dismissed.

Thomas Traffic Co. v. P. E. Ry. Co., 123 I. C. C. 535.

775. Charges collected on a less-than-carload shipment of wire-steel reels returned from Torrance, Calif., to Niles, Mich., found not unreasonable or otherwise unlawful. Complaint dismissed.

Sinclair Refining Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 537.

776. Rates charged on shipments of lubricating oils and greases, in carloads, from East Chicago, Ind., to Houston, Tex., found unreasonable. Reparation awarded.

Finch Bros. v. C., St. P., M. & O. Ry. Co., 123 I. C. C. 541.

777. Rate assessed on one carload of piling from Minong, Wis., to Dakota, Minn., found inapplicable. Refund of overcharges directed and complaint dismissed.

La Fayette Granite Co. v. B. & M. R. R., 123 I. C. C. 543.

778. Rate charged on one carload of granite monument bases from Hardwick, Vt., to La Fayette, Ind., found unreasonable. Reparation awarded.

Bourgoin & Co. v. M. & W. R. R. R., 123 I. C. C. 545.

779. Rates on rough granite, in carloads, from Groton and Barre, Vt., and Milford, N. H., to Elmwood, Ill., found not unreasonable or otherwise unlawful. Complaint dismissed.

Western Cartridge Co. v. C., B. & Q. R. R. Co., 123 I. C. C. 547.

780. Rates on sheet brass and bronze, in less than carloads, from East Alton, Ill., to Minneapolis and St. Paul, Minn., found not unreasonable or otherwise unlawful. Complaint dismissed.

Shreiner Lumber Co. v. Director General, 123 I. C. C. 551.

781. Demurrage and storage charges, collected on a carload of lumber from White Sulphur, W. Va., to Harrisburg, Pa., reconsigned to Hershey, Pa., found applicable. Refund of overcharges directed. Complaint dismissed.

Lone Star Gas Co. v. B. & O. R. R. Co., 123 I. C. C. 553.

782. Damages not shown to have resulted from the misrouting of a carload of internal-combustion engines shipped from Mount Vernon, Ohio, to Arab, Tex., and forwarded after arrival to Ranger, Tex. Complaint dismissed.

Kroehler Mfg. Co. v. C. N. Ry. Co., 123 I. C. C. 555.

783. Rate charged on a carload of lumber shipped from Sundridge, Ontario, Canada, to Naperville, Ill., found unreasonable. Reparation awarded.

Federal Clay Products Co. v. A. C. L. R. R. Co., 123 I. C. C. 557.

784. Rates charged on fire brick, in carloads, from Mineral City, Ohio, to Miami and Tampa, Fla., found not unreasonable or otherwise unlawful, except as to one shipment which was overcharged. Refund of overcharge directed. Complaint dismissed.

Moores-Coney Co. v. C., G. & P. R. R. Co., 123 I. C. C. 559.

785. Applicable rate on hollow building tile, in carloads, from Volant, Pa., to Hamersville, Ohio, found unreasonable. Reparation awarded.

Coal to Cincinnati, 123 I. C. C. 561.

786. Proposed reduced rates on bituminous coal, in carloads, from mines on the Chesapeake & Ohio and Norfolk & Western Railways in Virginia, West Virginia, and Kentucky to Cincinnati, Ohio, found justified. Proceeding discontinued.

Grain and Grain Products, 123 I. C. C. 569.

787. Proposed readjustment of rates on grain and grain products, in carloads and less than carloads, from Birmingham, Ala., and Chattanooga and Knoxville, Tenn., to south Atlantic ports and certain intermediate points, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Milne Lumber Co. v. D., T. & I. R. R. Co., 123 I. C. C. 573.

788. Demurrage charges on a carload of yellow-pine lumber at Detroit, Mich., found applicable and not unreasonable. Complaint dismissed.

Innis, Speiden & Co. v. N. Y., O. & W. Ry. Co., 123 I. C. C. 577.

789. Rates on powdered milk, in carloads, and in less than carloads, from Andes and Shavertown, N. Y., moving interstate, to Pier 23, North River, New York, N. Y., found not unduly prejudicial or otherwise unlawful. Complaint dismissed without prejudice to the filing of an application on our special docket on shipments not barred.

Lynchburg Chamber of Commerce v. W. J. & S. R. R. Co., 123 I. C. C. 579.

790. Rate collected on two carloads of common sand shipped from Cape May, N. J., to East Radford, Va., found unreasonable. Reparation awarded.

Tunnell & Co. v. P. R. R. Co., 123 I. C. C. 581.

791. Rates on fertilizer, in carloads, from Philadelphia, Pa., to destinations on Long Island, N. Y., found to have been unreasonable. Reparation awarded.

Taylor-Atkins Paper Co. v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 583.

792. Rates on paper tablets and papeteries, in carloads, from East Hartford, Conn., to Baltimore, Md., and Washington, D. C., found unduly prejudicial but not unreasonable. Undue prejudice ordered removed. Reparation denied.

Strable Lumber & Salt Co. v. C. N. Ry. Co., 123 I. C. C. 585.

793. Rate on lumber, in carloads from Burks Falls, Ontario, Canada, to Pontiac, Mich., found inapplicable. Refund of overcharges directed. Applicable rate found not unreasonable. Complaint dismissed.

Farris Hardwood Lumber Co. v. L. & N. R. R. Co., 123 I. C. C. 587.

794. Rate on lumber, in carloads, from Nashville, Tenn., to Toronto, Ontario, found not unreasonable, but unduly preferential and unduly prejudicial. Record held open for further appropriate proceedings.

Ceramic Traffic Asso. v. P. R. R. Co., 123 I. C. C. 591.

795. Rates on imported china clay and ball clay, in carloads, from Philadelphia, Pa., to destinations in New Jersey found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future and reparation awarded.

796. Charge for handling clay from ship side to cars at Philadelphia, Pa., found not unreasonable or unduly prejudicial.

Carter Oil Co. v. D. & R. G. W. R. R. Co., 123 I. C. C. 596.

797. Various carloads of cast-iron pipe and oil-well supplies, shipped from Fruita, Colo., and Price, Utah, to Sunburst and Kremlin, Mont., found not to have been misrouted. Complaint dismissed.

St. L.-S. F. Ry. Co. v. N. A. Ry. Co., 123 I. C. C. 599.

798. Upon further hearing, just, reasonable, and equitable divisions of joint rates on coal established between complainant and defendants. Prior reports, 88 I. C. C. 107.

Pittsburgh Clay Products Co. v. M.-K.-T. R. R. Co., 123 I. C. C. 605.

799. Rate on clay, in carloads, from Calhoun, Mo., to Pittsburg, Kans., found unreasonable and reparation awarded.

Brooks Bros. v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 607.

800. Shipments of lumber, in carloads, from Terryville, Conn., to Minnesota Transfer, Minn., found not misrouted and charges assessed found applicable. Complaint dismissed.

City Coal Co. v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 609.

801. Rates charged on anthracite coal, prepared sizes, in carloads from anthracite coal fields in the Lehigh, Schuylkill, and Wyoming regions in Pennsylvania to complainant's siding in Providence, R. I., found inapplicable. Refund of overcharges directed. Applicable rates found not unreasonable nor unjustly discriminatory, but unduly prejudicial. Undue prejudice ordered removed. Reparation denied.

Luten Bridge Co. v. A. C. L. R. R. Co., 123 I. C. C. 612.

802. Rates on gravel, in carloads, from Montgomery, Ala., to Barney, Ga., during the period January 10 to May 21, 1924, found unreasonable. Reparation awarded.

Automatic train-control devices, 123 I. C. C. 617.

803. After inspection and test, installation found to meet the requirements of our specifications and order and installation approved, except as indicated.

804. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Decker & Sons v. U. P. R. R. Co., 123 I. C. C. 621.

805. Rates on salt, in carloads, from mines in Kansas, Michigan, and Ohio to Mason City, Iowa, found to have been unreasonable. Reparation awarded.

Pure Oil Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 624.

806. Rates on gasoline, kerosene, naphtha, lubricating oil, and fuel oil, in tank-car loads, from points in Oklahoma to Lawrenceville, Paris, and Farrington, Ill., found inapplicable to certain destinations in Ohio and Indiana on the Baltimore & Ohio, the Cleveland, Cincinnati, Chicago & St. Louis, and the Pennsylvania. Complaint dismissed.

Hanna Furnace Co. v. N. Y. C. R. R. Co., 123 I. C. C. 627.

807. Rates on pig iron, in carloads, from Buffalo, N. Y., to destinations in New England found not unduly prejudicial. Complaint dismissed.

McFarland Co. v. G. N. Ry. Co., 123 I. C. C. 631.

808. Rate on cedar poles, in carloads, from Sand Point, Idaho, to Shingle Springs, Calif., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Chicago Heights Mfrs. Asso. v. B. & O. C. T. R. R. Co., 123 I. C. C. 636.

809. Rate charged on lumber, in carloads, from Angora, Minn., to Chicago, Ill., between June and November, 1923, inclusive, found applicable.

810. Rate charged and present rate found not unreasonable or unduly prejudicial. Complaint dismissed.

Apache Powder Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 639.

811. Carload rates on paraffin wax from Casper, Wyo., and on crude glycerin from Chicago, Ill., Kansas City, Mo., Galveston, Tex., and Berkeley, Calif., to Curtiss and Kennard, Ariz., found not unreasonable or otherwise unlawful.

812. Carload rates on paraffin wax from Ponca City, Okla., and nitrate of soda from New Orleans, La., Galveston, and San Pedro and Wilmington, Calif., to Curtiss and Kennard found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

813. Carload rates on sulphur from Gulf Hill, Tex., to Curtiss and Kennard found to have been unreasonable. Reparation awarded.

814. Allegations of undue preference and prejudice found not sustained.

Moore Lawless Grain Co. v. M. P. R. R. Co., 123 I. C. C. 647.

815. Charges assessed on wheat, in carloads, reforwarded from Kansas City, Mo., to various interstate destinations and accorded transit at Leavenworth, Kans., and Sweet Springs, Mo., found applicable and not unreasonable or otherwise unlawful. One shipment found overcharged. Refund of overcharge directed and complaint dismissed.

Allen Gravel Co. v. C., R. I. & P. Ry. Co., 123 I. C. C. 650.

816. Rates charged on gravel, in carloads, from Gravel Siding, Miss., to destinations in Arkansas found to have been inapplicable. Refund of overcharges directed.

Bluefield Traffic Bureau v. N. & W. Ry. Co., 123 I. C. C. 653.

817. Class rates on interstate traffic from Bluefield, W. Va., to destinations in West Virginia on the Virginian Railway between Princeton and Oak Hill Junction, W. Va., found unreasonable. Reasonable rates prescribed.

Stauffer Chemical Co. v. H. & B. V. Ry. Co., 123 I. C. C. 657.

818. Rates on refined sulphur from Bryanmound, Tex., to Fresno, Livny, and Los Angeles, Calif., in July and August, 1922, found unreasonable. Reparation awarded.

Acme Brick Co. v. C. of G. Ry. Co., 123 I. C. C. 660.

819. Rates charged on carload shipments of brick from Perla, Ark., to Newnan, Ga., and Quitman, Miss., found inapplicable. Reparation awarded.

Canton Box Co. v. P. R. R. Co., 123 I. C. C. 663.

820. Rate on wooden box shoocks, in carloads, from Baltimore, Md., to Jersey City, N. J., found unreasonable and unduly prejudicial. Reasonable and non-prejudicial rate prescribed for the future and reparation awarded.

Standard Oil Co. v. C., R. I. & P. Ry. Co., 123 I. C. C. 669.

821. Rates on wrought-iron pipe, well-drilling rigs, oil-well supplies and outfits, and steel tanks, in carloads, from and to points in Louisiana and Arkansas, found unreasonable. Reparation awarded.

822. Rates on gas engines, steam engines, and boilers, in straight carloads, from points in Louisiana to destinations in Arkansas found not to have been, or to be, unreasonable or unduly prejudicial.

N. Mex. Corporation Commission v. A., T. & S. F. Ry. Co., 123 I. C. C. 675.

823. Reparation award under a finding of unreasonableness of the combination rate collected on lepidolite ore, in carloads, from Embudo, N. Mex., to Wheeling, W. Va., held not to cover shipments which moved over a delivering

line not named in the complaint, and over the route of which the combination rate was not found unreasonable; former report, 96 I. C. C. 412.

Concrete Steel Co. v. B. & O. R. R. Co., 123 I. C. C. 677.

824. Petition in intervention seeking reparation on interveners' shipments, filed at the hearing and received over defendants' objection, unduly broadened the issues presented by the complaint within the contemplation of Rule II (1) of the Rules of Practice in such circumstances, subject to defendants' untimely waiver of the objection or to interveners' right to petition for further hearing upon their issue.

825. Rates on manufactured iron and steel articles, in carloads, from Youngstown, Newton Falls, and Niles, Ohio, and points grouped therewith, to Buffalo and other points in western New York and points in northwestern Pennsylvania designated in the report, found unreasonable and unduly prejudicial as respectively indicated. Complainants not shown to have been damaged by reason of undue prejudice. Reasonable and nonprejudicial rates prescribed for the future and reparation awarded.

Bell Bros. v. A. C. L. R. R., Co., 123 I. C. C. 683.

826. Rate on four carloads of brass ingots shipped from Charleston, S. C., to Pittsburgh, Pa., found not unreasonable or otherwise unlawful. Complaint dismissed.

Rates on Cotton to Gulf Ports, 123 I. C. C. 685.

827. Upon rehearing, found that the relationship between interstate rates on cotton for city deliveries and ship-side deliveries at the Texas and Louisiana ports is unduly preferential of warehouses and compresses located on the water front at such ports, and shippers using such facilities, and unduly prejudicial to warehouses and compresses located at interior points and back from the water front at the ports, and shippers using such facilities.

828. Basis for equalizing the city-delivery and ship-side rates prescribed.

829. Regulations and practices of respondents pertaining to the concentration and compression of cotton at interior points found not to result in undue prejudice to warehouses or compresses located at the ports, or to shippers using such facilities, or to unduly prefer warehouses or compresses located at interior points, or shippers using such facilities. Prior reports: In No. 14940 and No. 13991, 100 I. C. C. 159; in No. 11965, 77 I. C. C. 388.

Chestnut & Smith Corp. v. A. & R. R. R. Co., 123 I. C. C. 707.

830. Rates on natural gasoline, in tank-car loads, from certain points in the Ranger group in Texas to destinations in official and southern territories found not unreasonable or unduly prejudicial, except to Brunswick, Ga. Reasonable rate prescribed to Brunswick and reparation awarded.

Pacific Nitrogen Corp. v. C., B. & Q. R. R. Co., 123 I. C. C. 717.

831. Rates on electrolytic cells (electrolyzers), in carloads, from Pittsburgh, Pa., to Seattle, Wash., found unreasonable. Reasonable rates prescribed for the future and waiver of undercharges authorized.

Congdon & Carpenter Co. v. N. Y., N. H. & H. R. R. Co., 123 I. C. C. 721.

832. Rates on steel in carloads, from Johnstown, Duquesne, and Beaver Falls, Pa., Canton and Youngstown, Ohio, and Buffalo, N. Y., to Providence, R. I., and Watuppa, Mass., found applicable and not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

Phillips Petroleum Co. v. A., T. & S. F. Ry. Co., 123 I. C. C. 724.

833. Rates on natural gasoline, in tank-car loads, from Bartlesville, and Oklahoma points taking the same rates, to Bayonne, Bayway, and Paulsboro, N. J., and Olean, N. Y., found unreasonable. Reasonable rates for the future prescribed and reparation awarded.

Andrews Bros. Co. v. P. R. R. Co., 123 I. C. C. 733.

834. Action of the Pennsylvania Railroad Company in leasing certain facilities in its produce yards at Pittsburgh, Pa., to the Union Fruit Auction Company while refusing to accord like use of the same property to the Independent Fruit Auction Company not shown to result in any violation of the interstate commerce act or other statute administered by the commission. Complaint dismissed.

Karnowsky v. C., B. & Q. R. R. Co., 123 I. C. C. 749.

835. Rates on scrap iron from Fowler and Rensselaer, Ind., to Kewanee, Ill., and from Rensselaer to Gibson, Ind., over an interstate route, not found unreasonable. Complaint dismissed.

Okmulgee Board of County Comm. v. M.-K.-T. R. R. Co., 126 I. C. C. 1.

836. Rate charged on structural steel, in carloads, from Denison, Tex., to Henryetta, Okla., found unreasonable. Reparation awarded.

Crystal Springs Mfg. Co. v. I. C. R. R. Co., 126 I. C. C. 4.

837. Rate on box material, including fruit or vegetable packages, in carloads, from Crystal Springs, Miss., to Houma, La., found unreasonable. Reparation awarded.

American Salt & Coal Co. v. C., R. I. & P. Ry. Co., 126 I. C. C. 7.

838 The Hutchinson & Northern Railway Company found to have been and to be a common carrier, and absorption by trunk-line connections of its switching charges on salt found not unjustly discriminatory or unduly prejudicial. Complaint dismissed.

National Petroleum Asso. v. B. & O. R. R. Co., 126 I. C. C. 11.

839. Rates on bituminous coal, in carloads, from mines in Pennsylvania and West Virginia to Warren, Pa., and near-by points, found not unreasonable or unduly prejudicial. Complaint dismissed.

Miller Petroleum Co. v. B., S. L. & W. Ry., 126 I. C. C. 21.

840. Applicable charges on petroleum in tank-car loads, from Wichita Falls, Tex., to Houston, Tex., reconsigned to Westwego, La., found unreasonable. Waiver of undercharge authorized. Complaint dismissed.

S. W. Millers' League v. A., T. & S. F. Ry. Co., 126 I. C. C. 23.

841. Proportional rates on wheat and wheat flour, in carloads, from Missouri River points, when from beyond, to points in Indiana, Ohio, Pennsylvania, West Virginia, and Kentucky, found unduly prejudicial to the extent they exceed the proportional rates contemporaneously maintained on the same commodities from Minneapolis, Minn., and points taking the same rates to same destinations. Undue prejudice ordered removed.

North American Cement Corp. v. B. & O. R. R. Co., 126 I. C. C. 36.

842. Rates charged on lime, in carloads, from Martinsburg, W. Va., to stations in Maryland on the Hagerstown & Frederick found inapplicable. Reparation awarded.

Milk and Cream in New England, 126 I. C. C. 38.

843. Proposed increased interstate rates on milk and cream between New England points and from points in New York to points in New England found not justified, except as indicated. Suspended schedules ordered canceled without prejudice to the filing of new schedules in accordance with the views expressed herein.

Slate from Virginia Points, 126 I. C. C. 70.

844. Proposed rates on crushed slate, in carloads, from Esmont, Arvon, Dutch Gap, and Rockfish, Va., to Mobile, Ala., New Orleans, La., and Vicksburg, Miss., found justified. Order of suspension vacated and proceeding discontinued.

Sinclair Crude Oil Purchasing Co. v. A., T. & S. F. Ry. Co., 126 I. C. C. 73.

845. Rates on iron and steel tank material, in carloads, from points in Pennsylvania, Ohio, Illinois, Indiana, and from Kansas City, Kans., to destinations in Kansas, Oklahoma, and Texas found unreasonable. Reasonable basis of rates prescribed and reparation awarded. Complaint in No. 15621 (Sub-No. 2) dismissed.

Class and commodity rates from Iowa and S. D., 126 I. C. C. 81.

846. Proposed increased class and commodity rates between certain Iowa and South Dakota points and points in Colorado and Utah and related points found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Memphis Freight Bureau v. A. G. S. R. R. Co., 126 I. C. C. 87.

847. Rates on burlap, in carloads, from New York, N. Y., Philadelphia, Pa., and Boston, Mass., to Memphis, Tenn., found unreasonable and reasonable rates prescribed. Rates from New York to Memphis also found unduly prejudicial and undue prejudice ordered removed.

Unmanufactured tobacco, 126 I. C. C. 93.

848. Proposed increased rates on unmanufactured tobacco from points in central Kentucky to St. Louis, Mo., and East St. Louis, Ill., found justified. Orders of suspension vacated and proceedings discontinued.

Walrath & Sherwood Lumber Co. v. C. & N. W. Ry. Co., 126 I. C. C. 97.

849. Rates on lumber and related articles, in carloads, from points in coast, Spokane, and Oregon groups (Groups Nos. 1, 2, and 3) to Gordon, Irwin, Merriman, and Eli, Nebr., found unreasonable. Certain shipments found to have been overcharged. Reparation awarded.

Horse Asso. of America v. Amer. Ry. Exp. Co., 126 I. C. C. 103.

850. Rules governing the free transportation of attendants with race horses, polo mounts, and show horses, in carloads, moving by express, found unreasonable. Proposed rule in connection with race horses found not justified. Reasonable rules prescribed for the future and suspended schedules ordered canceled.

Pig iron in central territory, 126 I. C. C. 111.

851. Proposed rates on pig iron, in carloads, between points in central territory found justified, with certain exceptions. Proceeding discontinued.

Shelton Gasoline Corp. v. W. F., R. & F. W. R. R. Co., 126 I. C. C. 125.

852. Rates on gasoline, in tank-car loads, from Dublin, Desdemona, Breckenridge, and Eliasville, Tex., and Jennings, Okla., to Shelton, W. Va., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Dreer v. L. A. & S. L. R. R. Co., 126 I. C. C. 130.

853. Rate on shipments of nursery or florists' stock, including dormant rose-bushes and other plants and bulbs, in carloads, from Montebello, Calif., to River-ton, N. J., found not unreasonable over route of movement.

854. Shipments routed by the shipper, upon erroneous advice of one of the carriers that the rate applicable over other routes still obtained over the route of movement found not to have been misrouted. Complaint dismissed.

Practical Drawing Co. v. N. Y. C. R. R. Co., 126 I. C. C. 133.

855. Rate applicable on one carload of adhesive paste from Columbus, Ohio, to Dallas, Tex., found not unreasonable. Complaint dismissed.

Tyler Tube & Pipe Co. v. B. & O. R. R. Co., 126 I. C. C. 135.

856. Fifth-class rates on boiler flues, in carloads, from Washington, Pa., to Zanesville and Cleveland, Ohio, found unreasonable. Reparation awarded.

American Matze Products Co. v. N. Y. C. R. R. Co., 126 I. C. C. 137.

857. Rates charged on gluten feed, in carloads, from Roby, Ind., to stations in New York on the Ulster & Delaware Railroad found unreasonable. Reparation awarded.

Arnold & Co. v. S. Ry. Co., 126 I. C. C. 141.

858. Carload of hay from Manhattan, Kans., consigned to Birmingham, Ala., and reconsigned to Jasper, Ala., found to have been overcharged. Reparation awarded.

Federated Metals Corp. v. P. RR. Co., 126 I. C. C. 144.

859. Rate on tin oxide, in carloads, from East Liberty, Pa., to Sheboygan, Wis., found not unreasonable or otherwise unlawful. Complaint dismissed.

Iron and steel articles in mixed carloads, 126 I. C. C. 147.

860. Proposed mixing rule under which wire products move in mixed carloads with merchant iron at commodity rates between Shreveport, La., and points in Texas, and between points in Texas in interstate traffic, changed so as to include staples and woven wire among the wire products and restrict the weight of wire products in the mixture to 50 per cent of the carload weight, found justified. Order of suspension vacated and proceeding discontinued.

Coast Fir & Cedar Products Co. v. C. P. Ry. Co., 126 I. C. C. 151.

861. Minimum weights applicable on shipments of lumber and other forest products in open cars from points in Washington, Oregon, and British Columbia to various destinations in the United States found not to have been or to be unreasonable or otherwise unlawful. Complaint dismissed.

Miles Medical Co. v. B. & O. R. R. Co., 126 I. C. C. 159.

862. Upon reconsideration, rates charged on drugs and medicines, in carloads, from Elkhart, Ind., to New York, N. Y., and Philadelphia, Pa., during a certain period found applicable, but unreasonable. Reparation awarded. Original report, 118 I. C. C. 33 reversed in part.

Indian Creek Valley Lumber Co. v. B. & O. R. R. Co., 126 I. C. C. 161.

863. Rates on lumber and lumber products, in carloads, from points in Pennsylvania on the Indian Creek Valley Railway to interstate destinations in trunk-line and central territories found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future, and reparation awarded.

Newsprint Paper and Wall Paper, 126 I. C. C. 166.

864. Proposed increased rates on newspaper and wall paper, blank, unfinished, in carloads, from Canadian points to Iowa destinations found not justified except as applicable over the Chicago, Burlington & Quincy. Suspended schedules ordered canceled without prejudice to the filing of new schedules on five days' notice by the Chicago, Burlington & Quincy and its connections in conformity with the views expressed herein.

Troxel Mfg. Co. v. B. & O. R. R. Co., 126 I. C. C. 169.

865. Ratings on saddles in less than carloads, from Elyria, Ohio, to points in official, southern, and western classification territories found to be not unreasonable. Complaint dismissed.

Hamburg Broom Works v. C., R. I. & P. Ry. Co., 126 I. C. C. 171.

866. Carload shipment of broomcorn, from Fairview, Okla., to Atco., N. J., found misrouted.

867. Shipments of the same commodity, in carloads, from Fairview, Leedey, and Longdale, Okla., to Philadelphia and Hamburg, Pa., and Atco found not misrouted. Rates charged on shipments moving over certain routes found unreasonable to the extent they exceeded the aggregate of intermediate rates contemporaneously in effect.

868. Reparation awarded.

Tex-Mex-Jobbing House v. L. V. R. R. Co., 126 I. C. C. 175.

869. Rates charged on finished wall paper, in carloads, from Niagara Falls, N. Y., to Dallas, Tex., found not unreasonable. Complaint dismissed.

Buffalo-Springfield Roller Co. v. D., T. & I. R. R. Co., 126 I. C. C. 177.

870. Shipments of steam road rollers, in carloads, from Springfield, Ohio, to points in Kentucky, Tennessee, and Florida and from Sangully, Olympia, and Boulevard, Fla., to Springfield, found to have been overcharged. Refund directed. Complaint dismissed.

Burlington Shippers Asso. v. C., B. & Q. R. R. Co., 126 I. C. C. 179.

871. Applicable rates on furniture frames, in straight carloads, from Chicago, Ill., to Burlington, Iowa, determined and found unreasonable as indicated. No damage shown on account of undue prejudice. Present rate not found unreasonable or unduly prejudicial. Reparation awarded.

Automatic train-control devices, 126 I. C. C. 186.

872. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

873. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Hyman-Michaels Co. v. N. & W. Ry. Co., 126 I. C. C. 195.

874. Rates on iron and steel articles, in carloads, from Norfolk and Port Norfolk, Va., to Newark, N. J., and McKee's Rocks, Pa., found applicable and not unreasonable or otherwise unlawful. Complaint dismissed.

Lammert Furniture Co. v. S. Ry. Co., 126 I. C. C. 197.

875. Rates charged on shipments of furniture, in carloads, from Jasper, Ind., to St. Louis, Mo., found applicable. Complaint dismissed.

Maritime Asso., Boston Chamber of Commerce, v. A. A. R. R. Co., 126 I. C. C. 199.

Upon further hearing, prior report, 95 I. C. C. 539—

876. 1. Rates on grain and grain products, in carloads, via all-rail routes from points in Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Montana, Iowa, Nebraska, Kansas, Arkansas, and Oklahoma to Boston, Mass., and New York, N. Y., for export, found not unreasonable or otherwise unlawful.

877. 2. Rates on ex-lake grain and grain products from Buffalo, N. Y., to New York and Boston for export, found not unreasonable or otherwise unlawful.

878. 3. Found that the record does not permit the prescription of maximum or minimum reasonable rates on ex-lake grain from Buffalo, but that if such rates were to be prescribed the evidence warrants the conclusion that the line-haul rates to the water-front elevators at New York, Philadelphia, Pa., and Baltimore, Md., should be identical, and that the maintenance of the same rates to the water-front elevators at Boston would not be unlawful.

Automatic train-control devices, 126 I. C. C. 217.

879. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

Fruits and vegetables to Memphis, 126 I. C. C. 226.

880. Proposed increased and reduced rates on fruits, melons, and vegetables, in carloads and less than carloads, from points on the Louisville & Nashville south of Montgomery, Ala., in Alabama, Florida, Louisiana, and Mississippi to Memphis, Tenn., found not justified. Suspended schedules ordered canceled without prejudice to the filing of schedules in conformity with the views expressed herein. Proceeding discontinued.

Automatic train-control devices, 126 I. C. C. 229.

881. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

Automatic train-control devices, 126 I. C. C. 231.

882. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

883. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Lignite coal from North Dakota, 126 I. C. C. 243.

884. Upon further hearing, reasonable rates approved for the future on lignite from mines in North Dakota to interstate destinations in North Dakota, South Dakota, and Minnesota. Original report, 89 I. C. C. 726.

Forest products from Decatur, 126 I. C. C. 252.

885. Proposed increased rates on forest products, in carloads, from Decatur, Ala., and related points to Nashville, Tenn., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Ogden Grain Exch. v. A. E. R. R. Co., 126 I. C. C. 255.

886. Rates on grain and grain products, in carloads, from points on the Oregon Short Line in Idaho, Montana, Oregon, Utah, and Wyoming, from points in Utah on the Bamberger Electric, Denver & Rio Grande Western, Los Angeles & Salt Lake, Southern Pacific, Union Pacific, Utah Idaho Central, and Western Pacific, and from certain points on the Denver & Rio Grande Western in Colorado to north Pacific coast and California terminals found not unreasonable, except from and to the points shown in the appendix. Reasonable rates from and to the latter points prescribed, and relationships in present rates on this traffic to Portland, Oreg., on the one hand, and to Astoria, Oreg., and Seattle, Wash., on the other, required in the prescribed rates.

887. Rates on the same commodities from the same points of origin to destinations in interior California, the Imperial Valley, and Arizona found unreasonable. Reasonable bases of rates prescribed.

888. Allegation of undue prejudice of complainant's members in the origin territory as compared with Montana shippers on grain and grain products to north Pacific coast points not sustained.

Transit on mixed feed, 126 I. C. C. 283.

889. Proposed restricted transit arrangement to be applied at Nashville, Tenn., on blackstrap-molasses content of shipments of mixed feed found justified. Order of suspension vacated and proceeding dismissed.

Transit privileges on lumber, 126 I. C. C. 285.

890. Proposed cancellation of restriction as to transit arrangements on lumber and lumber products from north Pacific coast to eastern destinations found justified. Order of suspension vacated and proceeding discontinued.

Automatic train-control devices, 126 I. C. C. 290.

891. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

892. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Egyptian Powder Co. v. I. C. R. R. Co., 126 I. C. C. 293.

893. All-rail rates on imported nitrate of soda, in carloads, from New Orleans, La., and other Gulf ports to points on and north of the Ohio River found, with certain exceptions, unreasonable, but not unjustly discriminatory, unduly prejudicial, or in violation of the aggregate-of-intermediates clause of the fourth section. Certain shipments found to have been overcharged.

894. Water-and-rail rates on imported nitrate of soda, in carloads, from New Orleans and other Gulf ports to Lockland, Ohio, Hegewisch, Ill., and Grasselli, Ind., found unreasonable, except to Lockland, but not unjustly discriminatory or unduly prejudicial.

895. Rates on sulphate of potash, muriate of potash, and kainit, in carloads, from New Orleans and other Gulf ports found not unreasonable, except to Peoria and Springfield, Ill., and points grouped therewith as indicated.

896. Reasonable rates prescribed for the future and reparation awarded.

Lake Cargo Coal Rates, 1925, 126 I. C. C. 309.

897. Rates on bituminous coal, in carloads, from mines in Pennsylvania, Ohio, and West Virginia in the Pittsburgh, Ohio No. 8, and Cambridge districts to lower Lake Erie ports for transshipment by vessel found unreasonable but not unduly prejudicial. Reasonable rates prescribed for the future.

898. Rates on like traffic from mines in the Fairmont district of West Virginia found not unreasonable or unduly prejudicial as alleged.

899. Findings in former report, 101 I. C. C. 513, modified in part.

Automatic train-control devices, 126 I. C. C. 392.

900. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

901. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Manget Bros. Co. v. A. C. R. R. Co., 126 I. C. C. 403.

902. Finding in former report, 118 I. C. C. 85, that rates charged on certain shipments of cotton which moved by rail-water-and-rail route from Opelousas and Bunkie, La., to destinations in New England and New York, were unreasonable, modified so as to include uncompressed cotton, the latter being compressed by and at the expense of the carriers. Reasonable rates prescribed for the future and reparation awarded.

Russell Grain Co. v. A. G. S. R. R. Co., 126 I. C. C. 405.

903. Finding in former report, 113 I. C. C. 699, that rates charged on certain shipments of grain and grain products from points in Colorado, Kansas, and Nebraska to destinations in Tennessee, Georgia, and Alabama were applicable, affirmed. Complaint dismissed.

Burns & Knapp v. B. S. & K. R. Ry. Co., 126 I. C. C. 410.

904. Upon proof of damage, reparation awarded in accordance with the finding of unreasonableness in supplemental report, 74 I. C. C. 111, as amended herein.

Brownell Improvement Co. v. B. & O. C. T. R. R. Co., 126 I. C. C. 414.

905. Rates on crushed stone, in carloads, from Thornton, Ill., to certain destinations in northern Indiana and southwestern Michigan found unreasonable. Reasonable rates prescribed for the future.

Williams-Thompson Co. v. A. & W. P. R. R. Co., 126 I. C. C. 417.

906. Defendants' refusal to lease to complainant a section of a certain building owned by them at Atlanta, Ga., while leasing similar sections to complainant's competitors, found not to be unjustly discriminatory, unduly prejudicial, or otherwise violative of the interstate commerce act. *Andrews Bros. Co. v. P. R. R. Co.*, 123 I. C. C. 733, followed. Complaint dismissed.

Edgerton & Beers v. A. C. L. R. R. Co., 126 I. C. C. 422.

907. Refusal of defendant to accept a carload of watermelons for transportation from Barnwell, S. C., to Potomac Yard, Va., charges collect, found not unjustly discriminatory or otherwise in violation of the interstate commerce act. Complaint dismissed.

Sewell Valley R. R. Co. v. C. & O. Ry. Co., 126 I. C. C. 425.

908. Divisions accorded complainant out of joint rates on coal found not unjust, unreasonable, or inequitable. Findings in former report, 87 I. C. C. 21, affirmed.

Transit Privileges on Lumber and Ties, 126 I. C. C. 433.

909. Proposed cancellation of transit arrangement at Terre Haute, Ind., on lumber and ties, in carloads, originating on the Gulf, Mobile & Northern and certain of its short-line connections, and the Tennessee Central, found justified. Order of suspension vacated and proceeding discontinued.

Western Newspaper Union v. Director General, 126 I. C. C. 437.

910. Upon further hearing reparation awarded to complainant upon less-than-carload shipments of stereotype plates, old, worn out, or scrap, broken or unbroken, shipped with type faces unprotected, and valuable only for remelting, which were made subsequent to the original hearing. Exact amount of reparation due upon all shipments determined. Original report, 69 I. C. C. 523.

Federated Metals Corp. v. N. Y., N. H. & H. R. R. Co., 126 I. C. C. 439.

911. Rates charged on scrap copper and scrap brass from New York, N. Y., to certain New England destinations found not to have been or to be unreasonable, unjustly discriminatory, or unduly prejudicial, but unreasonable and unduly prejudicial for the future. Rates prescribed.

El Dorado Chamber of Commerce v. C., R. I. & P. Ry. Co., 126 I. C. C. 443.

912. Rate on newsprint paper, in carloads, from New Orleans, La., to El Dorado, Ark., found not unreasonable but unduly prejudicial. Nonprejudicial basis of rates prescribed. Reparation denied.

Mosburg v. A., B. & A. Ry. Co., 126 I. C. C. 447.

913. Damage alleged in respect of delay in delivery of two carloads of watermelons found not to have resulted from any violation of the interstate commerce act. Complaint dismissed.

Arcady Farms Milling Co. v. A., C. & Y. Ry. Co., 126 I. C. C. 449.

914. Combination rates charged on grain shipped from west-bank Mississippi River points in Iowa and Missouri and from points in Illinois, accorded transit at Chicago, Ill., and the product forwarded to destinations in central territory, found not applicable. Refund of overcharges directed.

915. Refusal of certain defendants to accord transit at Chicago on the basis of through grain by-products rates found not to result in charges which were or are unreasonable or otherwise unlawful.

Grain and Grain Products, 126 I. C. C. 454.

916. Proposed increased rates on coarse grains, in carloads, from points in Texas to points in Mississippi and Alabama and proposed restriction of the application of rates to certain routes found not justified, except in so far as the cancellation of routing via McGregor and Waco, Tex., is concerned. Suspended schedules ordered canceled and proceeding discontinued.

Chicago Carton Co. v. N. Y. C. R. R. Co., 126 I. C. C. 457.

917. Rate charged on one car lot of cardboard trouser presses from Chicago, Ill., to New York, N. Y., found applicable but unreasonable. Reparation awarded.

Rogers-Wade Furniture Co. v. A., C. & Y. Ry. Co., 126 I. C. C. 460.

918. Rate on furniture, in carloads, from St. Louis, Mo., to Paris, Tex., found unduly prejudicial. Complainant not shown to have been damaged. Reparation denied and complaint dismissed.

Gulfport Fertilizer Co. v. A. C. L. R. R. Co., 126 I. C. C. 463.

919. Rates on phosphate rock, in carloads, from Brewster, Bradleys, and Achan, Fla., to Gulfport, Miss., between March 22 and December 18, 1920, and from Prairie, Fla., to Gulfport in December, 1924, found not unreasonable. Complaints dismissed.

Pacific States Lumber Co. v. G. N. Ry. Co., 126 I. C. C. 471.

920. Combination rates on lumber and other forest products, in carloads, from certain points in the Puget Sound district of the State of Washington to destinations in Montana, North Dakota, South Dakota, and Minnesota found not unreasonable or unjustly discriminatory, but unduly prejudicial to the extent that they exceed the so-called coast-group basis of rates to the same destinations. Nonprejudicial rates required for the future.

921. Combination rates on lumber and other forest products, in carloads, from Elk River, Idaho, to the destinations above mentioned found not unreasonable, unjustly discriminatory, or unduly prejudicial except that rates to other than Montana points are found unduly prejudicial to the extent indicated in the report. Nonprejudicial rates required for the future.

Mountain States Roofing Co. v. A., T. & S. F. Ry. Co., 126 I. C. C. 475.

922. Rates on building and roofing material, in straight or mixed carloads, from Chicago, Ill., and St. Louis, Mo., and points taking the same rates, and from Lockland, Ohio, to Denver, Greeley, and Colorado Springs, Colo., found not unreasonable. Complaint dismissed.

Meridian Fertilizer Factory v. A. C. L. R. R. Co., 126 I. C. C. 478.

923. Rate on crude phosphate rock, in carloads, from Tilphosco and Brewster, Fla., to Meridian, Miss., found unreasonable. Reasonable rate prescribed for the future, and reparation awarded.

924. Fourth-section relief granted in part.

Automatic Gravel Products Co. v. C., R. I. & P. Ry. Co., 126 I. C. C. 487.

925. Rates on sand and gravel, in carloads, from Muscatine, Iowa, to destinations in central Illinois found unreasonable and unduly prejudicial to the extent that they exceed by more than 10 cents per ton the rates on crushed stone, in carloads, from Buffalo and Linwood, Iowa, to the same destinations. Reasonable and nonprejudicial rates required for the future.

Hammersley Mfg. Co. v. E. R. R. Co., 126 I. C. C. 491.

926. Rates on imported wood pulp, in carloads, from Hoboken, N. J., Philadelphia, Pa., and Baltimore, Md., to Garfield, N. J., and from Baltimore to Passaic-Dundee, N. J., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

927. Rates on imported wood pulp, in carloads, from New York, N. Y., to Garfield and Passaic-Dundee found not unreasonable.

Aberdeen Commercial Club v. C. P. R. R. Co., 126 I. C. C. 498.

928. Rates on coarse grain from Aberdeen and contiguous territory in South Dakota to points in Montana, Idaho, Washington, and Oregon found not unreasonable. Complaint dismissed.

Keystone Glue Co. v. S. Ry. Co., 126 I. C. C. 507.

929. Rates on tannery fleshings, in carloads, from various points in Virginia, West Virginia, North Carolina, Tennessee, and Kentucky to West Williamsport, Pa., found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

930. Fourth-section relief denied.

Allen Mfg. Co. v. A. G. S. R. R. Co., 126 I. C. C. 515.

931. Rate on pig iron, in carloads, from Birmingham, Ala., and points taking the same rate, to Nashville, Tenn., found to have been unreasonable but not unduly prejudicial. Present rate found not unreasonable or unduly prejudicial. Reparation awarded.

McFadden & Bros. Agency v. A. & R. R. R. Co., 126 I. C. C. 519.

932. Defendants' refusal to pay compression charges at Augusta, Ga., on certain carloads of cotton slipped through that point from stations in North Carolina and South Carolina to destinations in Georgia and Alabama found not unlawful. Complaint dismissed.

Hay between points in Tex., La., and Ark., 126 I. C. C. 524.

933. Rates on hay, in carloads, interstate between points in Texas and between those points and points in the Shreveport, La., group found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Class rates on sugar, 126 I. C. C. 527.

934. Proposed cancellation of application of class rates on sugar, in carloads, between points in Arkansas and Texas, on the one hand, and Oklahoma, on the other, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Sugar Land Ry. Co., 126 I. C. C. 529.

935. Divisions of joint rates on interstate or foreign traffic maintained by the Sugar Land Railway and its connections found unreasonable and unduly prejudicial to the extent indicated in the report.

936. Director General of Railroads advised as to proper basis of divisions between Sugar Land Railway and its connections during the period of Federal control. Proceeding discontinued.

Grain and grain products, 126 I. C. C. 536.

937. Proposed increased rates on grain and related commodities, in carloads, from points on the Missouri Pacific and certain of its connections, in Colorado, Kansas, Nebraska, Iowa, and Missouri to various destinations in Arkansas, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Armour & Co. v. Director General, 126 I. C. C. 539.

938. Applicable rates found to have been charged on various carloads of hogs shipped during Federal control from Peoria, Ill., to Chicago and East St. Louis, Ill. Complaint dismissed.

Indian Refining Co. v. L. & N. R. R. Co., 126 I. C. C. 543.

939. Rates charged on 7,720 tank-car loads of crude petroleum oil from Bowling Green, Memphis Junction, Scottsville, Rodemer, and Petroleum, Ky., to Owensboro, Ky., for movement by pipe line to Lawrenceville, Ill., found not unreasonable, unduly prejudicial, or otherwise unlawful. Complaint dismissed.

Hyman-Michaels Co. v. A. C. L. R. R. Co., 126 I. C. C. 547.

940. Rates charged on steel rails, angle bars, and similar articles from O. N. Junction, Fla., to Jacksonville and Key West, Fla., for export found unreasonable. Reparation awarded.

Decker & Sons v. C. & N. W. Ry. Co., 126 I. C. C. 551.

941. Combinations of local rates to and from Huron, S. Dak., charged on carload shipments of hogs originating at certain points in North Dakota and South Dakota, stopped in transit at Huron for feeding, watering, resting, sorting, and consolidating, and reforwarded to Mason City, Iowa, found unreasonable but not otherwise unlawful. Reparation awarded.

Caruso, Rinella, Battaglia Co. v. N. S. R. R. Co., 126 I. C. C. 555.

942. Rates on potatoes, in carloads, from Pungo, Pleasant Ridge, Creeds, Fentress, and Hickory Ground, Va., and Elizabeth City and Barnett's Creek, N. C., to destinations in New York found unreasonable, but not otherwise unlawful. Reasonable rates prescribed and reparation awarded.

Cocoa & Chocolate Mfrs. Asso. v. A. & V. Ry. Co., 126 I. C. C. 561.

943. Ratings on cocoa beans, in carloads and less than carloads, in official, southern, and western classifications, and on chocolate and chocolate coating, in carloads, in official and western classifications, found unreasonable but not unjustly discriminatory or unduly prejudicial. Reasonable ratings prescribed for the future.

944. Ratings on chocolate and chocolate coating, in less than carloads, in official, southern, and western classifications, found not unreasonable, unjustly discriminatory, or unduly prejudicial.

Union Gas & Electric Co. v. C. & O. Ry. Co., 126 I. C. C. 566.

945. Demurrage found to have accrued on numerous carloads of coal placed on public delivery tracks at Cincinnati, Ohio. Complaint dismissed.

Newark Call Printing & Publishing Co. v. C. R. R. Co. of N. J., 126 I. C. C. 569.

946. Rate on newsprint paper, in carloads, from Carthage, N. Y., to Newark, N. J., found not unreasonable, unjustly discriminatory, or unduly prejudicial. Complaint dismissed.

Chicago Granatine Mfg. Co. v. I. C. R. R. Co., 126 I. C. C. 572.

947. Rate on cement laundry tubs, in carloads, from Chicago, Ill., to New Orleans, La., found to have been unreasonable but not unduly prejudicial. Reparation awarded.

Roquemore Gravel Co. v. A. & W. P. R. R. Co., 126 I. C. C. 575.

948. Upon further hearing rates on sand and gravel, in carloads, from Montgomery, Ala., to La Grange, Ga., found not unreasonable. Findings in original report, 85 I. C. C. 184, reversed and complaint dismissed.

New England divisions, 126 I. C. C. 579.

Upon rehearing of the above-entitled case, previous reports in which are in 62 I. C. C. 513, 66 I. C. C. 196, and 85 I. C. C. 482, found:

949. That the divisions of complainants of the joint rates with defendants covered by our order herein of March 28, 1922, are not shown to have been, since that order became effective, or to be unreasonable to complainants.

950. That in the case of the transcontinental joint rates covered by said order, the reasonable divisions of defendants in the western district will for the future be 72.5 per cent west of Chicago and related percentages west of the other gateways with eastern defendants, 3 cents per 100 pounds in the case of eastbound citrus fruit to be deducted before prorating; that in the case of joint rates covered by said order to and from points in western trunk-line territory which were increased 40 per cent in 1920, the divisions of defendants in the western district are not shown to be unreasonable; but that in the case of such joint rates to and from points in western trunk-line territory which were increased 33.3 per cent in 1920, the divisions of said defendants in the western district will for the future be unreasonable to the extent that they are less than the divisions which said defendants would now be receiving except for our aforesaid order.

951. That in the case of the joint class rates covered by said order which apply via eastern gateways, and in the case of the joint commodity rates which apply via Hagerstown, Md., between points in New England and points in the southern group, the divisions of defendants in the southern group are not shown to be unreasonable; that in the case of joint commodity rates covered by said order which apply via Potomac Yard, Norfolk, and Richmond, Va., the divisions of defendants in the southern group are not shown to be unreasonable where said defendants receive as large a percentage of the rate as they receive of the class rate upon which the traffic would move in the absence of a commodity rate, but that in all other cases said divisions will for the future be unreasonable to the extent that they are less than the divisions which said defendants would now be receiving except for our aforesaid order; and that in the case of the joint class and commodity rates covered by said order which apply via Ohio River gateways, the divisions of the defendants in the southern group will for the future be unreasonable to the extent that they are less than the divisions which said defendants would now be receiving except for our aforesaid order.

952. That in the case of the joint rates covered by said order in which the Delaware & Hudson participates, it has not been shown that the divisions of that defendant are unreasonable.

953. That in the case of the joint rates covered by said order in which the Erie and its subsidiaries participate, it has not been shown that the divisions of those defendants are unreasonable or otherwise unlawful.

954. That in the case of the joint rates covered by said order in which the Central of New Jersey participates with other defendants, it has not been shown that the divisions of that defendant are unreasonable; but that in the case of such joint rates in which the Central of New Jersey is the sole participating defendant, its divisions will for the future be unreasonable to the extent that they are less than it would now be receiving except for our aforesaid order.

955. That in the case of the joint rates covered by said order in which that part of the system of the New York, Chicago & St. Louis participates which was formerly the Lake Erie & Western, the divisions of that defendant are not shown to be unreasonable.

956. That in the case of joint rates which apply to transportation which is not wholly within the confines of the United States, we are without authority to prescribe divisions.

957. That in the case of joint rates in which the New England Steamship Company participates between points in New England and points on the lines of defendants, the divisions of that complainant have not been shown to have been or to be unreasonable.

958. That in the case of the joint interstate rates on traffic, other than coal, in which complainants participate between points on the lines of defendants, other than the Boston & Albany, and other than the Central of New Jersey where it is the sole participating defendant, and points on the lines of the Bangor & Aroostook, Grafton & Upton, South Manchester, Moshassuck Valley, United Electrics, Narragansett Pier, New York, Westchester & Boston, and Wood River Branch, the divisions of complainants will for the future be unreasonable to the same extent that their divisions of other joint rates on merchandise traffic were found unreasonable in 66 I. C. C. 196.

959. That in the case of the joint interstate rates on traffic, other than coal, in which complainants participate to and from points on the lines of defendants, other than the Boston & Albany, and other than the Central of New Jersey where it is the sole participating defendant, and which were not covered by our aforesaid order, the divisions of complainants will for the future be unreasonable to the same extent that their divisions of other joint rates on merchandise traffic were found unreasonable in 66 I. C. C. 196.

960. That in the case of the joint rates covered by said order in which complainants participate with defendants in connection with the Boston & Albany as an intermediate carrier, it has not been shown that the divisions of complainants are unreasonable.

961. That where the divisions of complainants or defendants were made up in part of a percentage of the joint rate and in part of a specific amount or arbitrary, the divisions which existed on March 28, 1922, were those of December, 1917, changed in proportion, in each case, to the changes in the joint rate of which the division was a part which occurred between December 31, 1917, and December 1, 1919.

962. That in the case of joint interstate rates on prepared sizes of anthracite coal in which the Boston & Maine, Central New England, Maine Central, and New Haven participate with defendants, the divisions of said complainants will for the future be unreasonable to the extent that they are less than the remainders of said joint rates after deducting the divisions, if any, prescribed herein for the Central Vermont and the present divisions, if any, of any other New England carrier, including the Boston & Albany, and after deducting certain specified division found to be reasonable for the services performed by defendants; and that in the case of such joint rates on prepared sizes of anthracite coal in which the Central Vermont participates, the divisions of said complainant will for the future be unreasonable to the extent that they are less than 110 per cent of its present divisions.

963. That in the case of joint interstate rates on bituminous coal in which the Boston & Maine, Maine Central, and Central Vermont participate with defendants, other than joint rates between points on the Boston & Maine and points on the New York Central, the divisions of said complainants are not shown to be unreasonable; that in the case of such joint rates on bituminous coal in which the Central New England and New Haven participate and in which the New York Central also participates, the divisions of said complainants are not shown to be unreasonable; but that in the case of other joint interstate rates on bituminous coal in which the Central New England and the New Haven participate with defendants, the divisions of said complainants will for the future be unreasonable to the extent that they are less than the remainders of said joint rates after deducting the present divisions, if any, of any other New England carrier, including the Boston & Albany, and after deducting certain specified divisions found to be reasonable for the services performed by defendants.

964. That no sufficient reason has been shown for the retroactive adjustment of any of the changed divisions herein prescribed.

Cudahy Packing Co. v. Director General, 126 I. C. C. 674.

965. Finding in 104 I. C. C. 705, that shipments of hogs and sheep, in carloads, from South Omaha, Nebr., Sioux City and certain other points in Iowa, to Kansas City and Wichita, Kans., on which charges were collected based upon actual-value rates, were not overcharged, affirmed. Complaint dismissed.

United Zinc Smelting Corp. v. B. & O. R. R. Co., 126 I. C. C. 677.

966. Rates on zinc concentrates, in carloads, from points in the Joplin, Mo.-Miami, Okla., ore field to destinations in Illinois, Indiana, Ohio, West Virginia, and Pennsylvania found not unreasonable or otherwise unlawful, except such rates to certain points in Illinois and Indiana found unduly prejudicial and preferential. Undue prejudice ordered removed but reparation denied.

California Table Fruit Co. v. A., T. & S. F. Ry. Co., 126 I. C. C. 700.

967. Charges assessed on one carload of grapes from Reedley, Calif., to Croxton, N. J., reconsigned to Scranton, Pa., found inapplicable. Reparation awarded.

Federated Metals Corp. v. C. R. R. Co. of N. J., 126 I. C. C. 703.

968. Rates on solder, in carloads, from Newark, N. J., to Buffalo, N. Y., found not unreasonable but unduly prejudicial. Undue prejudice ordered removed and reparation denied. Former decision in 92 I. C. C. 319, modified.

969. Rates on certain alloys of lead, in carloads, from Newark, N. J., to Buffalo, N. Y., Pittsburgh, Pa., Chicago, Ill., and other destinations in Illinois, Indiana, Ohio, Pennsylvania, New York, Kentucky, and Tennessee, found not unreasonable but unduly prejudicial. Undue prejudice ordered removed and reparation denied. Former decision in 113 I. C. C. 487 modified.

970. Proposed increased rates on terne metal, in carloads, from Newark and Brills, N. J., to Buffalo, N. Y., and Buffalo rate points and other destinations in central territory, found justified under section 1, but not justified under section 3. Suspended schedules ordered canceled. Former decision in 113 I. C. C. 487, modified.

Nelson v. C., M. & St. P. Ry. Co., 126 I. C. C. 713.

971. Shipments of tin cans, in carloads, from Chicago, Ill., to North Prairie, Wis., prior to April 20, 1924, found to have been misrouted. Rates charged on shipments made subsequent to that date found unreasonable. Reparation awarded.

Humble Oil & Refining Co. v. B., S. L. & W. Ry. Co., 126 I. C. C. 717.

972. Rates on refined petroleum, in carloads, from Hearne, Tex., to Baytown, Tex., for export, and for coastwise movement to points in the United States, found not unreasonable or unduly prejudicial. Complaint dismissed.

Tallulah Cotton Oil Co. v. A. & V. Ry. Co., 126 I. C. C. 723.

973. Rates on cottonseed, in carloads, from points in Louisiana on the Vicksburg, Shreveport & Pacific, the Louisiana & Arkansas, and the Missouri Pacific, and from points in Arkansas on the Missouri Pacific to Jackson and Newton, Miss., found unreasonable. Reasonable maximum rates prescribed for the future. Reparation awarded. Findings in 96 I. C. C. 333, modified.

Standard Nut & Bolt Co. v. N. Y., N. H. & H. R. R. Co., 126 I. C. C. 731.

974. Rates charged on steel rods, in straight lengths, in carloads, from Pittsburgh and Johnstown, Pa., Youngstown, Ohio, and Buffalo and North Tonawanda, N. Y., to Pawtucket and Valley Falls, R. I., found not unreasonable but unjustly discriminatory and unduly prejudicial to the extent that they exceed contemporaneous rates on the same commodity when shipped in coils. Unjust discrimination and undue prejudice ordered removed. Reparation denied.

Tuffli Bros. P. I. & C. Co. v. W. M. Ry. Co., 126 I. C. C. 737.

975. Rates charged on smithing coal, in carloads, from Douglas, W. Va., and Logan, Pa., to Cardin, Okla., found inapplicable. Refund of overcharges directed. Complaint dismissed.

Dallas Paper Co. v. A. & L. M. Ry. Co., 126 I. C. C. 739.

976. Rate on wrapping paper, in carloads, from Bastrop, La., to Dallas and Wichita Falls, Tex., found not unreasonable. Complaint dismissed.

Norcross Marble Co. v. B. & O. R. R. Co., 126 I. C. C. 741.

977. Five shipments of rough quarried marble from Phenix, Mo., to Cleveland, Ohio, found to have been misrouted. Reparation awarded.

Buffalo Brick Co. v. M. P. Ry. Corp., 126 I. C. C. 744.

978. Rate charged on various shipments of paving brick, in carloads, from Buffalo, Kans., to McCook, Nebr., found unreasonable. Reparation awarded.

Brunswick-Balke-Collender Co. v. B. & O. R. R. Co., 126 I. C. C. 747.

979. Rates assessed on mixed-carload shipments of lumber, built-up woods, and veneer from Knoxville, Tenn., to Dubuque, Iowa, Muskegon, Mich., and Rockford, Ill., found inapplicable. Waiver of alleged undercharges directed and complaint dismissed.

United Paperboard Co. v. B. & A. R. R., 126 I. C. C. 751.

980. Rate on waste paper, in carloads, from Boston, Mass., to Thomson, N. Y., found unreasonable. Rate prescribed for the future. Reparation awarded.

McClave & Son v. A. C. L. R. R. Co., 128 I. C. C. 1.

981. Upon further consideration, rates on lumber, in carloads, from Roach, Fla., to Harrison and Jersey City, N. J., and Great Works, Me., from Springdale, Fla., to Harrison, and from Scott, Ga., to Great Works, found unreasonable to the extent indicated in the original report, plus a transit charge of \$2.50 per car for the stoppage at Portsmouth, Va. Original report 100 I. C. C. 405.

Lewis Co. v. C., N. O. & T. P. Ry. Co., 128 I. C. C. 3.

982. Rates on strawberries, in carloads, from various points in Tennessee to Battle Creek, Detroit, and Kalamazoo, Mich., and the rate on peaches, in carloads, from Sale Creek, Rathburn, and Harriman, Tenn., to Detroit, Mich., found not unreasonable.

983. Proposed increased rates on strawberries, in carloads, from points in Tennessee and Alabama on the Southern Railway to destinations in central territory, found justified.

Washington Building Lime Co. v. B. & O. R. R. Co., 128 I. C. C. 9.

984. Rates charged on lime, ground limestone, and crushed stone, in carloads, from points in West Virginia and Ohio, to stations in Maryland on the Washington, Baltimore & Annapolis Electric Railroad to the Hagerstown & Frederick Railway in some instances found inapplicable, and applicable rates found not unreasonable. Class rates applicable on lime from Baltimore & Ohio points to Washington, Baltimore & Annapolis stations between November 9, 1925, and January 30, 1926, inclusive, found unreasonable. Present combination rates on lime from Woodville, Ohio, to stations on the Washington, Baltimore & Annapolis found unreasonable. Present joint commodity rates from Baltimore & Ohio stations found not unreasonable. Reparation awarded.

Stone from Champaign, Ill., 128 I. C. C. 21.

985. Proposed change in commodity description governing application of rates on stone, in carloads, from Champaign, Ill., to points in Ohio and other States found justified. Order of suspension vacated and proceeding discontinued.

Dolomite and Fluxing Stone., 128 I. C. C. 23.

986. Proposed cancellation of commodity rates on dolomite and fluxing stone, in box cars, found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules in conformity with the conclusions herein.

Grain and grain products, 128 I. C. C. 29.

987. Proposed increased rates on grain and grain products, in carloads, from stations on the Chicago & Eastern Illinois in Illinois and Indiana to destinations on the St. Louis-San Francisco in Arkansas, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Di Giorgio Fruit Co. v. A. E. R. R. Co., 128 I. C. C. 31.

988. Refrigeration charges on cantaloupes, in carloads, from points in Arizona and California to interstate destinations in the United States and to destinations in Canada found lawful. Complaint dismissed.

Amicon Fruit Co. v. L. V. R. R. Co., 128 I. C. C. 34.

989. Carload of cabbage shipped from Cortland, N. Y., to Williamson, W. Va., found to have been misrouted. Reparation awarded.

990. Carload of agricultural implements shipped from Syracuse, N. Y., to Williamson, W. Va., found to have been misrouted. Reparation awarded.

National Lead Battery Co. v. M. P. R. R. Co., 128 I. C. C. 39.

991. Fourth-class rating and rate on storage batteries, in carloads, from Kansas City and Centropolis, Mo., to Dallas, Tex., found not unreasonable. Complaint dismissed.

Potosi Tie & Lumber Co. v. S. & E. R. R. Co., 128 I. C. C. 41.

992. Rate charged on a carload of railroad ties from East End, Mo., to Clearing, Ill., found inapplicable. Reparation awarded.

Atlantic Refining Co. v. P. R. R. Co., 128 I. C. C. 43.

993. Charges collected on a carload of denatured alcohol from Philadelphia, Pa., to Providence, R. I., found inapplicable. Reparation awarded.

Soda Ash from Cartago, Skinner, and Keeler, 128 I. C. C. 45.

994. Proposed cancellation of rates and restriction of routing on soda ash, caustic soda, and crude bicarbonate of soda, in carloads, from Cartago, Skinner, and Keeler, Calif., to destinations in transcontinental Groups F, G, H, and J, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

E-Z Opener Bag Co. v. P. R. R. Co., 128 I. C. C. 45.

995. Upon further hearing, two shipments of cordwood waybilled from Good-year, Miss., to Braithwaite, La., found to have originated at Crosby, Miss. Rates charged found unreasonable. Reparation awarded. Former report, 118 I. C. C. 524.

Pioneer Coal & Coke Co. v. Director General, 128 I. C. C. 49.

996. Rates charged on bituminous coal and foundry coke, in carloads, from points in Pennsylvania and West Virginia to interstate destinations, found inapplicable. Reparation awarded.

Boyle Commission Co. v. C., B. & Q. R. R. Co., 128 I. C. C. 51.

997. Rates on potatoes, in carloads, from points in Idaho, Colorado, Nebraska, and Utah to Nashville, Tenn., found not unreasonable or otherwise unlawful. Complaint dismissed.

Albers Bros. Milling Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 53.

998. Charges on a carload of oats from Porum, Okla., to Oakland, Calif., there stored, and thence reconsigned to McCoud, Calif., found not billed and collected in accordance with complainant's instructions and applicable tariff provisions thereby depriving complainant of a refund provided by the tariff. Reparation awarded.

White Eagle Oil & Refining Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 55.

999. On reconsideration, finding in original report, 122 I. C. C. 223, that the rate on lubricating oil, in tank-car loads, from Galena, Port Arthur, and West Port Arthur, Tex., to Topeka, Kans., was and is unreasonable and unduly prejudicial, modified.

West Texas Utilities Co. v. M. C. R. R. Co., 128 I. C. C. 57.

1000. Charges collected on a less-than-carload shipment of portable tubs from Saginaw, Mich., to Abilene, Tex., found inapplicable. Reparation awarded.

Henderson Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 59.

1001. Rates on casing-head gasoline, in carloads, from Delaware, Okla., to Los Angeles, Avon, and Martinez, Calif., found unreasonable. Waiver of undercharges authorized and reparation awarded.

Gum Motor Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 61.

1002. Rates charged on automobiles, in carloads, from Pontiac and Detroit, Mich., to Dodge City, Kans., found not unreasonable or otherwise unlawful. Complaints dismissed.

Oklahoma Portland Cement Co. v. D. & R. G. W. R. R. Co., 128 I. C. C. 63.

1003. Rates on cement, in carloads, from Ada, Okla., and points in the Kansas gas belt to destinations in Texas in Scale III and Scale IV territories, as defined, and from Portland and Concrete, Colo., to said Scale IV territory destinations found unreasonable; rates from points in the Kansas gas belt

found unduly prejudicial as compared with corresponding rates from Ada, Bonner Springs, Kans., Sugar Creek, Mo., and Portland and Concrete, Colo., to the same destinations to the extent indicated. Reasonable and nonprejudicial rates prescribed. Reparation denied.

1004. Bases of rates prescribed for interstate application will remove most, if not all, of the undue prejudice found to exist in relationships of interstate rates to intrastate rates within Texas. Adjustment of intrastate rates left to State authorities and carriers.

1005. Rates on cement, in carloads, from Ada to Shreveport, La., found unreasonable. Reasonable rate prescribed for the future without prejudice to other proceedings pending, and reparation awarded.

1006. Fourth-section relief granted in connection with rates prescribed to Texas destinations.

Oklahoma Traffic Asso. v. A. & V. Ry. Co., 128 I. C. C. 89.

1007. Rates on denatured alcohol, in carloads, from New Orleans, Westwego, and Harvey, La., to Oklahoma City and other destinations in Oklahoma found to have been and to be unreasonable to the extent that they exceed the maximum reasonable fifth-class rates prescribed in *Consolidated Southwestern Cases*, 123 I. C. C. 203, for application from and to the same points. Reasonable rates for the future prescribed and reparation awarded.

Nebraska Bridge Supply & Lumber Co. v. A. G. S. R. R. Co., 128 I. C. C. 94.

1008. Carload rates on cedar posts and poles, from points in Alabama, Georgia, and Tennessee to points in Illinois, found not inapplicable or unreasonable except rates from Lim Rock, Ala., to Mason City, Ill., and from Rising Fawn, Ga., to Olive Branch, Ill., found unreasonable. Reparation awarded.

National Broom Co. v. A. T. & S. F. Ry. Co., 128 I. C. C. 98.

1009. Rates on broom handles, in carloads, from Crandon, Gidden, and Antigo, Wis., Atlantic and Sidnaw, Mich., and Chicago, Ill., to Pueblo, Colo., found unreasonable. Reasonable rates prescribed for the future and reparation awarded on shipments from Crandon.

Kress v. C. R. R. Co. of N. J., 128 I. C. C. 101.

1010. Rate on asparagus roots, in carloads, from Seabrook, N. J., to Kress, S. C., found unreasonable. Reparation awarded.

Peaslee-Gaulbert Co. v. C. & A. R. R. Co., 128 I. C. C. 103.

1011. Charges collected on a carload of copper sulphate from Chicago, Ill., to Dallas, Tex., found not unreasonable. Complaint dismissed.

Taub v. L. V. R. R. Co., 128 I. C. C. 105.

1012. Defendant's refusal to refund allowance for drayage and ferriage in lieu of lighterage on carload shipments of grapes unloaded at Jersey City, N. J., and carted to New York, N. Y., deliveries, found unlawful. Reparation awarded.

Class rates between Oregon and Washington, 128 I. C. C. 108.

1013. Proposed increases in class rates between Portland, Oreg., Astoria, Oreg., and Aberdeen, Hoquiam, Chehalis, Olympia, Tacoma, and Seattle, Wash., on the one hand, and stations on respondents' lines along the Columbia River in Oregon and Washington, on the other, found justified. Order of suspension vacated and proceeding discontinued.

Coal from Illinois, Kentucky, and Alabama, 128 I. C. C. 113.

1014. Proposed revision of rates on coal, in carloads, from mines in southern Illinois, western Kentucky, and the Birmingham district of Alabama found justified as to destinations west of the Mississippi River and not justified as to destinations east of the Mississippi River. Suspended schedules applicable to destinations east of the Mississippi River ordered canceled and proceeding discontinued.

1015. Rates on coal, in carloads, from mines in the Birmingham district of Alabama, on the one hand, and mines in the southern Illinois and western Kentucky districts, on the other hand, to destinations in Mississippi Valley territory found unduly prejudicial to the former and unduly preferential of the latter. Undue prejudice and preference ordered removed. Previous report in No. 16505, 109 I. C. C. 740.

Grain from Montana, 128 I. C. C. 123.

1016. Proposed increased rates on grain and grain products from points in Montana on the Great Northern Railway to destinations on the Goldendale branch of the Spokane, Portland & Seattle Railway found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Union Smelting & Refining Co. v. C. R. R. Co. of N. J., 128 I. C. C. 129.

1017. Rates on scrap brass and scrap copper, in carloads, shipped prior to August 15, 1925, from certain points in New York and New Jersey to East Liberty and Pittsburgh, Pa., found unreasonable with certain exceptions. Reparation awarded. Findings in 95 I. C. C. 104 reversed in part.

1018. Rates on like traffic from and to the same points in effect since August 15, 1925, found not unreasonable.

Hylonite Products Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 135.

1019. Rate on crude infusorial earth, in carloads, from Lovelock, Nev., to Chicago, Ill., found unreasonable but not unjustly discriminatory or unduly prejudicial.

United Zinc Smelting Corp. v. P. R. R. Co., 128 I. C. C. 139.

1020. Rates on coke breeze or coke dust, in carloads, from Martins Ferry, Ohio, and prior to November 11, 1925, from Steubenville, Ohio, found not unreasonable. Rate from Steubenville found unreasonable on and after November 11, 1925. Reparation awarded and reasonable rate for the future prescribed from Steubenville.

National Asso. of Ice Cream Mfrs. v. American Ry. Express Co., 128 I. C. C. 143.

1021. Charge of 16 cents for the return by express of empty canvas-jacket ice-cream containers found unreasonable. Reasonable charge prescribed.

American Preserve Co. v. R. Co., 128 I. C. C. 146.

1022. Charges collected on cold-pack cherries, in carloads, from Sodus and Buffalo, N. Y., to Philadelphia, Pa., found unreasonable. Reparation awarded.

Puget Sound-Portland joint passenger-train service, 128 I. C. C. 149.

1023. On further hearing, finding of original report, 96 I. C. C. 116, affirmed, that operation of joint passenger-train service between Seattle, Wash., Tacoma, Wash., and Portland, Oreg., and division of earnings therefrom, will be in the interest of better service to the public, will promote economy of operation, and will not unduly restrain competition. New contract between applicants which, in substance, extends terms and conditions of original contract for a period of three years from April 1, 1927, approved.

West Virginia Rail Co. v. C. & O. Ry. Co., 128 I. C. C. 153.

1024. Rates on iron and steel rails and reinforcement concrete bars, in carloads, from Huntington, W. Va., to certain points in Kentucky, Tennessee, and Virginia found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

Lynchburg Chamber of Commerce v. N. Y. C. R. R. Co., 128 I. C. C. 159.

1025. Initial carrier found not guilty of misrouting less-than-carload shipments of various kinds of paper shipped from Watertown, New Hartford, and Brownsville, N. Y., to Lynchburg, Va., because its agent could not reasonably be expected to have knowledge of the distant component that resulted in the lower combination rate. Complaints dismissed.

American Linseed Co. v. C., M. & St. P. Ry. Co., 128 I. C. C. 163.

1026. Rate on linseed oil, in carloads, from Chicago, Ill., to Milwaukee, Wis., found not unreasonable or otherwise unlawful. Complaint dismissed.

Bedding Charges for Livestock, 128 I. C. C. 167.

1027. Proposed rules, regulations, and charges governing the bedding of cars used for the transportation of livestock in central and western trunk-line territories found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules containing rules, regulations, and charges in accordance with the views expressed herein.

Clifford Co. v. C. R. & S. J. R. R. Co., 128 I. C. C. 182.

1028. Rates on rough and polished marble, in carloads, from Marble, Colo., to Clifford Spur, Calif., found unreasonable. Reparation awarded.

Boston Wool Trade Asso. v. B. & A. R. R. Co., 128 I. C. C. 185.

1029. Reparation due under our findings in 77 I. C. C. 431 awarded in definite amount.

Iroquois Pulp & Paper Co. v. A. A. R. R. Co., 128 I. C. C. 187.

1030. Rates on blank wall paper, in carloads, from Thomson, N. Y., to destinations in central territory, found not unreasonable or otherwise unlawful. Rates on newsprint paper, in carloads, from and to the same points, found unreasonable to the extent that they exceed the rates on blank wall paper. Reasonable rates prescribed for the future.

National Show Case Co. v. S. A. L. Ry. Co., 128 I. C. C. 193.

1031. Third-class rates on store and office fixtures, in carloads, from Columbus, Ga., to Paducah, Ky., Memphis, Tenn., and New Orleans, La., found not unreasonable or otherwise unlawful. Complaints dismissed.

Fuller & Co. v. S. P. Co., 128 I. C. C. 199.

1032. Shipments of four tank-car loads of linseed oil, previously imported, from San Francisco to Los Angeles, Calif., found to have been intrastate. Complaint dismissed for lack of jurisdiction.

Hulett & Son v. S. Ry. Co., 128 I. C. C. 201.

1033. Rate on mattresses and metallic cots, in mixed carloads, from Atlanta, Ga., to Meridian, Miss., found not unreasonable or otherwise unlawful. Complaint dismissed.

Vickers Petroleum Co. v. M. P. R. R. Co., 128 I. C. C. 205.

1034. Rate on gasoline, in carloads, from Potwin, Kans., to Westwego and St. Rose, La., found not to have been unreasonable. Complaint dismissed.

Michigan Bean Co. v. D., G. H. & M. Ry. Co., 128 I. C. C. 207.

1035. Rates on beans, in carloads, from Clifford, Pigeon, Owendale, Cass City, and Bad Axe, Mich., to Fenton, Mich., there picked and reshipped to various interstate destinations, found not unreasonable. Refund of overcharge directed. Complaint dismissed.

Baxter & Co. v. S. P. Co., 128 I. C. C. 211.

1036. Rate and minimum weights on poles, in carloads, moving from San Pedro to Thenard, Calif., as part of through movement from interstate points of shipments reaching San Pedro by water, found not unreasonable or otherwise unlawful. Complaint dismissed.

Fisher Supply Co. v. A. & V. Ry. Co., 128 I. C. C. 215.

1037. Rates on enameled iron bathtubs in straight carloads or in mixed carloads with enameled iron lavatories, from Monaca, Pa., to Dallas, Tex., and on plumbers' lead goods, in carloads, from Joplin, Mo., to Dallas, found unreasonable. Reparation awarded.

American Window Glass Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 222.

1038. Rates on window glass, in carloads, from Hartford City, Ind., to destinations in Minnesota, North Dakota, South Dakota, Iowa, Missouri, Kansas, and Nebraska found not unreasonable or unduly prejudicial. Complaint dismissed.

Leonard, Crosset & Riley v. A., T. & S. F. Ry. Co., 128 I. C. C. 225.

1039. Rates on cabbage and potatoes, in carloads, from the lower Rio Grande Valley of Texas to Cincinnati, Ohio, found unreasonable and unduly prejudicial. Reasonable rates prescribed and reparation awarded.

1040. Fourth-section relief denied.

Ward Baking Co. v. P. R. R. Co., 128 I. C. C. 231.

1041. Rates on printed waxed wrapping paper, in less than carloads, between points in official territory, found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

Nivison-Weiskopf Co. v. A. & V. Ry. Co., 128 I. C. C. 233.

1042. Rates on lumber, in carloads, from points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee to Reading, Ohio, found not

unreasonable but unduly prejudicial. Nonprejudicial basis of rates prescribed for the future. Reparation denied.

Bragg & Millsaps Co. v. A. & W. P. R. R. Co., 128 I. C. C. 238.

1043. Joint-line interstate rates under agreed distance scales on livestock, in carloads, over certain lines under separate management and control found reasonable.

1044. Charges based on joint-line interstate rates under agreed distance scales on livestock, in carloads, over certain lines under the same management and control found unreasonable. Reparation awarded.

Medal Brick & Tile Co. v. B. & O. R. R. Co., 128 I. C. C. 241.

1045. Rates on face brick, in carloads, from Wooster, Ohio, to eastern points, found unduly prejudicial but not unreasonable. Nonprejudicial basis prescribed.

Western Paper Makers Chemical Co. v. A. C. L. R. R. Co., 128 I. C. C. 244.

1046. Rate on rosin dross, in carloads, from Jacksonville, Fla., to Pensacola, Fla., over an interstate route, found unreasonable. Reparation awarded.

Sewall Paint & Glass Co. v. C., C. & St. L. Ry. Co., 128 I. C. C. 247.

1047. Rate on talc, in carloads, from Emeryville, N. Y., to Dallas, Tex., found not unreasonable. One shipment found overcharged. Refund directed and complaint dismissed.

United States Potters' Asso. v. A., C. & Y. Ry. Co., 128 I. C. C. 249.

1048. Rates on pottery clay, in carloads, from points in Kentucky, Tennessee, and Mississippi, to destinations in central and trunk-line territories, and on imported china clay and ball clay, in carloads, from north Atlantic ports, and points taking the same rates, to destinations in central and trunk-line territories, found not unreasonable or otherwise unlawful. Complaints dismissed.

Carney Co. v. A. A. R. R. Co., 128 I. C. C. 255.

1049. Rates on cement, in carloads, from Mankato, Minn., to Detroit, Mich., and Toledo and Cleveland, Ohio, found not unreasonable or otherwise unlawful. Complaint dismissed.

Ziegler Bros. v. St. L.-S. F. Ry. Co., 128 I. C. C. 257.

1050. Rate on crushed stone and chatts, in carloads, from Webb City and Oronogo Junction, Mo., to Arcadia, Kans., found unreasonable. Reparation awarded.

McKeesport Tin Plate Co. v. A. A. R. R. Co., 128 I. C. C. 259.

1051. Rates on tin plate, in carloads, from McKeesport, Pa., to New London, Wis., found unreasonable. Reparation award.

Davies & Thomas Co. v. C. R. R. Co. of N. J., 1128 I. C. C. 261.

1052. Rate on scrap iron, in carloads, from Pedricktown, N. J., to Catasauqua, Pa., found unreasonable. Reparation awarded.

Sellers v. C., C. & St. L. Ry. Co., 128 I. C. C. 263.

1053. Rate on coal from Annabelle, W. Va., to Goshen, Ind., reconsigned to Benton Harbor, Mich., found not unreasonable. Routing restriction found not unreasonable. Complaint dismissed.

Ill.-Ind. Coal Cases, 128 I. C. C. 265.

1054. Rates on bituminous coal, in carloads, from the Danville, Brazil-Clinton, and Linton-Sullivan groups in Illinois and Indiana to points in the Chicago switching district found unreasonable. Reasonable rates prescribed.

1055. Except as noted, rates on bituminous coal from mines in Illinois and Indiana to points in Illinois, Indiana, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, and Iowa found not unreasonable but the relationship between the rates from said mines in Illinois and Indiana, on the one hand, and mines in western Kentucky, on the other, found to result in undue prejudice to the former and in undue preference of the latter. Undue prejudice and preference ordered removed.

1056. Relationship between rates from Illinois and Indiana, on the one hand, and the Inner Crescent and Outer Crescent districts, on the other, found not unduly prejudicial.

Iowa Railroad Commissioners v. A. & S. R. R., 128 I. C. C. 293.

1057. Rates on bituminous coal, in carloads, from producing points in Illinois, Indiana, and western Kentucky to certain interior Iowa destinations and on fine coal from the same points to Dubuque, Iowa, found unreasonable. Reasonable rates for the future prescribed.

1058. Rates on bituminous coal, in carloads, from the same producing points to Mason City, Council Bluffs, Sioux City, and Mississippi River cities in Iowa, except on fine coal to Dubuque; from producing points in Illinois and Indiana to Linwood and Buffalo, Iowa; and from producing points in Illinois and western Kentucky to Hannibal, Mo., found not unreasonable nor otherwise unlawful. Complaints in Nos. 15266, 15299, 15629, and 15860 dismissed.

North Packing & Provision Co. v. Director General, 128 I. C. C. 306.

1059. Upon further consideration complainants found to have withdrawn their complaint as to rates charged on shipments of hogs, in carloads, from stations in Iowa and adjacent States to East Cambridge, Mass., and other destinations in New England during the period from March 1, 1920, to January 1, 1922. Former report, 104 I. C. C. 607, awarding reparation on shipments during Federal control affirmed.

Sugar between Louisiana and Texas, 128 I. C. C. 309.

1060. Proposed increased rates on sugar, in carloads, from New Orleans and other Louisiana refining points to points in southern and eastern Texas, and from Sugarland and Texas City, Tex., to Shreveport and other Louisiana points and to Vicksburg, Miss., and other Mississippi River crossings south thereof, found not justified in so far as they exceed those that will result from application of the maximum reasonable rates prescribed in *Consolidated Southwestern Cases*, 123 I. C. C. 203, for application to the traffic from and to the same points. Suspended schedules ordered canceled and proceeding discontinued.

1061. All-rail rates on refined sugar, in carloads, from New Orleans and other Louisiana refining points to points in Arkansas found unreasonable to the extent that they exceed those that will result from application of the maximum reasonable rates prescribed in *Consolidated Southwestern Cases*, 123 I. C. C. 203, for application to the traffic from and to the same points. Basis for determination of maximum reasonable river-and-rail rates on sugar from Louisiana to Arkansas not afforded by record.

1062. All-rail and river-and-rail rates on refined sugar, in carloads, from Louisiana refining points to Shreveport or Monroe, La., in their relations to relatively higher corresponding rates to Wilmot, Texarkana, El Dorado, or Hope, Ark., found to result in undue preference and prejudice and in unjust discrimination against interstate commerce as indicated.

1063. Rates on refined sugar, in carloads, from New Orleans and other Louisiana refining points to Shreveport, La., in their relations to relatively higher rates on like traffic from Sugarland or Texas City, Tex., to Shreveport, found to result in undue preference and prejudice and in unjust discrimination against interstate commerce as indicated.

1064. Manner of removing the undue prejudice and preference and the unjust discrimination against interstate commerce, found to exist, prescribed.

Construction and Repair of Ry. Equipment, 128 I. C. C. 323.

Upon investigation found:

1065. That the leasing of respondent's marine repair yard and floating equipment to a private concern, the arrangement regarding the shifting and transferring of its freight in New York Harbor, and the repair of its floating equipment were not, under the circumstances, detailed in the report, in the interest of efficient and economical management as required by section 15a of the act.

1066. That the expenditures by respondent for repairs to certain of its car floats at the plant of the Hudson Shipbuilding & Repair Company, and the compensation paid to the Phoenix Transit Company for lightering, towing, and shifting of vessels in New York Harbor were excessive and not in the interest of efficient and economical management as required by section 15a of the act.

Spencer Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 346.

1067. Rate on gravel from Holliday, Kans., to Standish, Mo., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Galveston Commercial Asso. v. G., H. & S. A. Ry. Co., 128 I. C. C. 349.

1068. Rates on petroleum and petroleum products in export and coastwise movement from southern Kansas, Oklahoma, and Texas to Galveston and other Texas ports taking the same rates, and on grain and grain products in export and coastwise movement from a portion of southern Kansas defined in the report, the same as to New Orleans and other Louisiana ports taking the same rates, found not unduly prejudicial. Findings in original report, 100 I. C. C. 110, with respect to these commodities, reversed. Suspended schedules in respect thereof found not justified and required to be canceled.

1069. Rates on a number of other commodities in export, import, or coastwise movement from or to points in the Southwest to or from Galveston and other Texas ports taking the same rates, found unduly prejudicial to those ports and unduly preferential of New Orleans. Nonprejudicial basis of rates prescribed. Findings in original report with respect thereto modified.

1070. Rates on export, import, and coastwise traffic from or to points on the Texas & Pacific and Louisiana Railway & Navigation system to or from Texas ports, the same as to or from New Orleans, found not unduly prejudicial. Original findings in this respect reversed.

1071. Suspended schedules filed in purported compliance with findings in original report found not justified, without prejudice to filing of new schedules in conformity with conclusions herein.

1072. Rates on petroleum and petroleum products from points in north central Texas to New Orleans and Galveston, and ports taking the same rates, found not unreasonable or unduly prejudicial, and blending-in-transit provision at Gulf ports found not unduly prejudicial. Complaint in No. 17850 dismissed.

Absorption of Drayage Charges, 128 I. C. C. 405.

1073. Proposed absorption of charges for draying ore to the loading tracks of the Southwest Missouri Railroad in the Picher district of northeastern Oklahoma and southeastern Kansas found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Federal Match Corp. v. G. N. Ry. Co., 128 I. C. C. 415.

1074. Upon further hearing, finding in previous report, 102 I. C. C. 353, that switching charges and the assessment thereof in addition to the roadhaul rate on lumber originating at local stations and milled in transit at Spokane, Wash., are not unreasonable, unjustly discriminatory, or unduly prejudicial, affirmed.

1075. The grading of the transit charges and the period of time allowed in connection with the transit service found unreasonable as applied to the milling of lumber into match blocks at Spokane. Reasonable period of transit prescribed and defendants directed to establish reasonable flat transit charges.

Paraffine Companies v. S. P. Co., 128 I. C. C. 421.

1076. Rate on imported mah-jongg sets, in carloads, from San Francisco, Calif., to Chicago, Ill., found not applicable. Reparation awarded.

1077. Rate on domestic mah-jongg sets, in carloads, from San Francisco and Paraffin, Calif., to Chicago, Ill., found applicable but unreasonable. Reparation awarded.

Stop-over transit privilege on Cranberries, 128 I. C. C. 425.

1078. Upon further consideration, elimination of arrangement for stopping to partially unload interstate carload shipments of cranberries at points in Texas found not justified. No order entered but respondents will be expected to restore the arrangement within 60 days. Previous report, 122 I. C. C. 479, reversed.

Kendall Refining Co. v. A. & V. Ry. Co., 128 I. C. C. 427.

1079. Upon further consideration finding in former report herein, 118 I. C. C. 689, that the rates on gasoline, in carloads, from certain points in Texas and Oklahoma to Bradford, Pa., were not unreasonable, reversed. Reasonable rates prescribed and reparation awarded.

Salt Between Western and Southwestern Points, 128 I. C. C. 431.

1080. Distance scale of rates on salt, in carloads, prescribed in original report, 120 I. C. C. 91, from Kansas producing points to points in the Southwest extended beyond 800 miles; the addition of certain differentials permitted for hauls through New Mexico; and publication of prescribed rates required only to agency stations. Original report modified in part.

Grain from Sioux City Group Points, 128 I. C. C. 434.

1081. Proposed increased rates on grain and grain products, in carloads, between Sioux City, Iowa, and points grouped therewith, and Atchison, Topeka & Santa Fe Railway stations in Kansas, Oklahoma, and Colorado, found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Sand from Pleasant Lake, 128 I. C. C. 439.

1082. Proposed increase in the interstate single-line rate on sand, in carloads, from Pleasant Lake, Ind., to the Chicago switching district found not justified except as indicated. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein.

Suitable Cars for Loading Flour, 128 I. C. C. 442.

1083. Proposed rule governing the furnishing of suitable cars for loading flour and other grain products found justified. Orders of suspension vacated and proceedings discontinued.

Memphis Freight Bureau v. A. G. S. R. R. Co., 128 I. C. C. 445.

1084. Rates on furniture, in carloads and less than carloads, from Memphis, Tenn., to destinations in southern and official territories, found in part unreasonable and unduly prejudicial. Bases for reasonable and nonprejudicial rates prescribed.

International Paper Co. v. B. & M. R. R., 128 I. C. C. 466.

1085. Rates assailed on imported wood pulp, in carloads, from Boston, Mass., to Fort Edward, N. Y., found unreasonable. Reasonable rate prescribed and reparation awarded.

Dolese Bros. Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 471.

1086. Upon further hearing, rates in accordance with our findings in the original report herein, 89 I. C. C. 110, prescribed on crushed stone from Buffalo and Linwood, Iowa, to all destinations in northern Illinois.

Western Brick Co. v. N. Y. C. R. R. Co., 128 I. C. C. 479.

1087. Upon further argument, findings in former report in No. 15061, 107 I. C. C. 245, modified in part. Rates on articles in the uniform brick list, in carloads, from Danville, Ill., to points in Wisconsin, Michigan, Minnesota, and North Dakota found unduly prejudicial. Nonprejudicial relationships of rates prescribed for the future.

1088. Schedules of proposed rates on the same articles from points in Illinois, Indiana, Missouri, and Iowa to the same destination territory found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Ogden Grain Exch. v. A. E. R. R. Co., 128 I. C. C. 490.

1089. Original report, 126 I. C. C. 255, modified so as to permit establishment of rates on flour, in carloads, from certain points in Idaho, Montana, Oregon, Utah, Wyoming, and Colorado to destinations in California and Arizona differentially higher than the contemporaneous rates on wheat prescribed in the original report.

Boren-Stewart Co. v. G., C. & S. F. Ry. Co., 128 I. C. C. 493.

1090. Rate on oleomargarine, in carloads, from Chicago, Ill., to Dallas, Tex., found unreasonable. Reasonable rate prescribed and reparation awarded.

Lynchburg Chamber of Commerce v. S. Ry. Co., 128 I. C. C. 497.

1091. Previous finding, 118 I. C. C. 523, that a carload of lumber shipped from Orangeburg, S. C., to Leesburg, Va., was not misrouted, reversed upon reconsideration. Reparation awarded.

Rates and minimum weights on salt, 128 I. C. C. 499.

1092. Rate required by the Public Utilities Commission of Ohio for intrastate application on bulk salt, in carloads, from Akron, Ohio, and points grouped therewith, to Cincinnati, Ohio, not shown to subject interstate traffic or shippers or localities outside the State to undue prejudice or disadvantage or to constitute an unjust discrimination against interstate commerce. Proceeding discontinued.

Crescent Bed Co. v. C., R. I. & P. Ry. Co., 128 I. C. C. 505.

1093. Upon further consideration, maximum reasonable rates on metal beds, in carloads, from New Orleans, La., to destinations in western Louisiana, Arkansas, Oklahoma, and Texas prescribed. Findings in original report, 123 I. C. C. 41, modified.

Thames v. S. Ry. Co., 128 I. C. C. 508.

1094. Rate charged on carload shipment of lumber from Cottdale, Fla., consigned to Gastonia, N. C., thence reconsigned to Union, S. C., found inapplicable. Reparation awarded.

Hines Yellow Pine Co. v. M. S. R. R., 128 I. C. C. 511.

1095. Rate charged on carload shipments of lumber from Lumberton, Miss., to Boone, N. C., found to have been inapplicable. Reparation awarded.

Knoxville Iron Co. v. L. & N. R. R. Co., 128 I. C. C. 513.

1096. Rates on bar iron, in less than carloads, from Knoxville, Tenn., to points in Georgia found unduly prejudicial. Reparation denied for lack of proof of damage.

Sanzone-Palmisano Co. v. L. & N. R. R. Co., 128 I. C. C. 515.

1097. Switching charges collected at Chicago on two carloads of grapefruit found not unreasonable or otherwise unlawful. Complaint dismissed.

Moline George Co. v. N. Y. C. R. R. Co., 128 I. C. C. 517.

1098. Rates on calcium arsenate, in carloads, from Middleport, N. Y., to Minden and Shreveport, La., found not unreasonable. Complaint dismissed.

Chicago Coal Merchants Asso. v. C. & N. W. Ry. Co., 128 I. C. C. 519.

1099. Rates on anthracite and bituminous coal, in carloads, from points in Illinois, Indiana, Pennsylvania, and West Virginia to complainant's siding in the Chicago switching district not found to have been unreasonable. Complainant not shown to have been damaged by any undue prejudice that may have existed. Complaint dismissed.

Lutz & Schramm Co. v. P. & L. E. R. R. Co., 128 I. C. C. 521.

1100. Rates charged on "cold-pack" strawberries, blackberries, and cherries, in carloads, from Fredonia and Sodus, N. Y., Camden Station (Baltimore), Md., and Port Norfolk, Va., to Pittsburgh, Pa., found applicable. Complaint dismissed.

Oklahoma Millers' League v. A. & M. R. R. Co., 128 I. C. C. 523.

1101. Maximum reasonable joint through rates prescribed on grain and grain products from points in Oklahoma to destinations in Louisiana, and maximum reasonable through rates, made by combining factors to and from Memphis, Tenn., prescribed on grain and grain products from points in Oklahoma to destinations in southeastern and Carolina territories. Proceeding reopened as to rates to points in Mississippi Valley territory.

Northwestern Fruit Exchange v. G. N. Ry. Co., 128 I. C. C. 538.

1102. Charges collected on a carload of apples from Wenatchee, Wash., billed to New York, N. Y., and diverted in transit to Philadelphia, Pa., found inapplicable. Refund of overcharges directed. Complaint dismissed.

Practical Drawing Co. v. C. & N. W. Ry. Co., 128 I. C. C. 540.

1103. Rate on one carload of printing paper from Appleton, Wis., to Dallas, Tex., found unreasonable. Reparation awarded.

1104. Rate on two mixed carloads of printing paper and writing paper from Appleton and Neenah, Wis., to Dallas, Tex., found not unreasonable.

Sweet Bros. v. N. P. Ry. Co., 128 I. C. C. 543.

1105. Rate on secondhand dredging machinery, in carloads, from Iron Mountain, Mont., to Baker, Oreg., found not unreasonable. Complaint dismissed.

Rates on petroleum and its products, 128 I. C. C. 545.

1106. Proposed cancellation of joint commodity rates on petroleum and its products, in carloads, from Vicksburg and Natchez, Miss., New Orleans, La., and points grouped therewith, to destinations in the Provinces of Ontario and Quebec, Canada, found not in violation of the interstate commerce act. Order of suspension vacated and proceeding discontinued.

Republic Creosoting Co. v. A. G. S. R. R. Co., 128 I. C. C. 547.

1107. Rates on creosote oil, in tank-car loads, from Indianapolis, Ind., to Louisville, Ky., Cincinnati, Ohio, St. Louis, Mo., East St. Louis, Granite City, Madison, and Chicago, Ill., and destinations in the Chicago switching district,

found unreasonable but not unduly prejudicial. Reasonable rates for the future prescribed.

Inland Steel Co. v. C. & O. Ry. Co., 128 I. C. C. 551.

1108. Rate charged on angles, channels, and beams, in carloads, moving interstate from Indiana Harbor, Ind., to Indianapolis, Ind., found applicable and not otherwise unlawful. Complaint dismissed.

Fosse & Co. v. E. R. R. Co., 128 I. C. C. 553.

1109. Rates on ground poultry manure, in carloads, from Kenton, Ohio, to Hattiesburg and Meridian, Miss., found unreasonable. Reparation awarded.

Holt Co. v. S. P. Co., 128 I. C. C. 555.

1110. One carload of caterpillar tractors and parts from Stockton, Calif., to Dallas, Tex., found overcharged. Refund of overcharge directed. Complaint dismissed.

Lynchburg Chamber of Commerce v. B. & O. R. R. Co., 128 I. C. C. 557.

1111. Rate charged on bar steel, in carloads, from Youngstown, Ohio, to Lynchburg, Va., found not unreasonable and complainant not shown to have been damaged by reason of any undue preference or fourth-section violation that may have existed. Complaint dismissed.

Speir & Co. v. A. & W. P. R. R. Co., 128 I. C. C. 559.

1112. Rates charged on interstate shipments billed as cottonseed-hull fiber or shavings, from points in Georgia, North Carolina, and South Carolina to destinations in Kentucky, Ohio, and other States and the District of Columbia, shown to have been inapplicable. Refund of overcharges directed. Complaint dismissed.

Newton Falls Paper Co. v. R. Co., 128 I. C. C. 563.

1113. Rates on china clay from Philadelphia, Pa., to Newton Falls, N. Y., found unreasonable. Reparation awarded.

Shelvin-Hixon Co. v. O.-W. R. R. & N. Co., 128 I. C. C. 565.

1114. Rate on box shooks, in carloads, from Bend, Oreg., to Port Arthur, Tex., found not unreasonable. Complaint dismissed.

Southern Class Rate Investigation, 128 I. C. C. 567.

Upon various petitions seeking modifications of our findings in previous reports, more particularly of the findings with respect to interterritorial rates in the first supplemental report, 109 I. C. C. 300, found:

1115. That Appendix Q to the first supplemental report should be revised so that the differential scales will apply in accordance with the length of haul within southern territory and so that the same scales will apply via both Ohio River and Virginia gateways, and by adding two further and somewhat higher scales, the highest of the four scales thus included in the appendix to apply on traffic to and from southern points within 30 miles of the gateways, the next highest on traffic to and from points more than 30 but not more than 100 miles distant, the next highest on traffic to and from points more than 100 but not more than 340 miles distant, and the lowest to and from points more than 340 miles distant from the gateways; such revision being set forth in Appendix Q-1 hereto.

1116. That Appendix N-1 to the first supplemental report, being a map showing the groups to be used within southern territory on traffic to and from points in trunk-line and New England territories, should be revised by subdividing certain of the groups and by making certain changes in the boundary lines; such revision being shown in Appendix N-2 hereto.

1117. That Appendix O-1 to the first supplemental report should be revised by adding certain further key points in trunk-line and New England territories and corresponding key rates, by making various minor changes in the key rates heretofore prescribed, and by providing that the Appendix Q-1 basis shall apply in certain instances where key rates were heretofore prescribed; such revision being shown in Appendix O-2 hereto.

1118. That the groups within trunk-line and New England territories proposed by the carriers in connection with the Appendix O-2 key rates should be approved.

1119. That Appendix J-1 to the first supplemental report should be revised so that the scale of arbitraries therein contained will correspond with the

Appendix K-2 distance scale prescribed in the second supplemental report, 113 I. C. C. 200; such revision being shown in Appendix L-2 hereto.

1120. That finding 13, at pages 309-310 of the first supplemental report, should be revised in certain minor respects.

1121. That finding 17, at pages 329-332 of the first supplemental report, should be revised by proper references to the appendixes herein revised, and in certain other minor respects.

1122. That no reason has been shown why the Louisville, Henderson & St. Louis should not continue to maintain locally between various points on its line, and between such points and official territory points, class rates subject to the official classification, nor why the Illinois Central should not meet such rates, charging higher rates to and from intermediate points if it is able, upon proper application, to obtain the necessary fourth-section relief.

1123. All other requests for modifications in our findings denied.

California Dressed Beef Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 607.

1124. Rates charged on hogs, in carloads, from points on the Atchison, Topeka & Santa Fe Railway and its subsidiaries in New Mexico and Texas to Los Angeles, Calif., prior to September 1, 1923, found not to have been illegally assessed.

1125. Rates on hogs, in carloads, from points in New Mexico, Texas, Kansas, and Oklahoma to Los Angeles, Calif., on and after November 23, 1922, found unreasonable, but not unduly prejudicial, and reasonable rates prescribed. Further hearing ordered upon the question of reparation.

Virginia Gasoline & Oil Co. v. B. & O. R. R. Co., 128 I. C. C. 621.

1126. Rates on naphtha and gasoline, in tank-car loads, from Philadelphia, Pa., Meraux, La., and certain points in Kansas, Oklahoma, and Texas to Sandyville, W. Va., found not unreasonable except as indicated in the report. Reparation awarded.

Curtis Leather Co. v. P. R. R. Co., 128 I. C. C. 627.

1127. Rates on green salted hides, in carloads, from points in Indiana, Missouri, Illinois, Wisconsin, Kansas, Iowa, Nebraska, and Minnesota to Ludlow, Pa., found not unreasonable. Complaint dismissed.

California Packing Corp. v. S. P. Co., 128 I. C. C. 631.

1128. Rate on dried fruit, in carloads, from Suisun, Calif., to Phoenix, Ariz., found unreasonable. Reparation awarded.

Andersen Lumber Co. v. N. P. Ry. Co., 128 I. C. C. 633.

1129. Rates on pine lumber in carloads, from points in Oregon, Idaho, and Montana to Bayport, Minn., found not unreasonable or unduly prejudicial. Complaint dismissed.

Murphysboro Paving Brick Co. v. I. C. R. R. Co., 128 I. C. C. 635.

1130. Claim for reparation on 43 carloads of paving brick from Murphysboro, Ill., to Martin, Tenn., which moved prior to the general adjustment of rates on brick and clay products in southern territory, denied. Complaint dismissed.

Chevrolet Motor Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 638.

1131. Except as noted, rates charged on passenger automobiles, in carloads, and passenger and freight automobiles, in mixed carloads, from St. Louis, Mo., to destinations in Utah found applicable. Complaint dismissed.

Dillie v. C. V. Ry. Co., 128 I. C. C. 641.

1132. Rates charged on granite, in carloads, from Barre, Vt., to New Castle and Greensburg, Ind., found not unreasonable or otherwise unlawful. Complaint dismissed.

Brennan & Corrigan v. C. & A. R. R. Co., 128 I. C. C. 643.

1133. Rate charged on rolling-mill rolls, in carloads, from Joliet, Ill., to Laredo, Tex., for export to Mexico, found applicable. Complaint dismissed.

Eggerss-O'Flyng Co. v. C. & N. W. Ry. Co., 128 I. C. C. 644.

1134. Fourth-class rating and rates found applicable until May 1, 1927, on less-than-carload shipments of corrugated fiber boxes, knocked down or folded flat, from Omaha, Nebr., to destinations in Iowa. Refund of overcharges directed.

1135. Second-class rating and rates applicable on and after May 1, 1927, found unreasonable. Third-class rating and rates prescribed and reparation awarded.

1136. Maintenance of a rating on shipments from Omaha to Des Moines and other points in Iowa west of a north-and-south line through Des Moines, higher than that contemporaneously maintained from Keokuk, Iowa, to the same destinations, found to result in undue preference and advantage of shippers in intrastate commerce from Keokuk, in undue prejudice to complainant, and in unjust discrimination against interstate commerce. Case held open to afford opportunity to revise the intrastate rating in harmony with the interstate rating herein prescribed.

American Fruit & Veg. Shippers Asso. v. American Ry. Express Co., 128 I. C. C. 651.

1137. Upon further hearing in No. 12680, finding in original report, 81 I. C. C. 87, affirmed.

1138. Aggregate of express rate to Jersey City, N. J., and Erie Railroad's charge beyond, applicable to shipments of fruits and vegetables, n. o. s., in carloads, from points in California, Washington, Oregon, and Idaho, to Piers 20 and 21, New York, N. Y., found unreasonable. Reparation awarded and reasonable rate prescribed for the future from points in Washington, Oregon, and Idaho.

1139. Practice of American Railway Express Company of requiring consignees to accept delivery at Jersey City of shipments of fruits and vegetables, n. o. s., in carloads, from points in Washington, Oregon, and Idaho destined to Piers 20 and 21, New York, N. Y., found unreasonable. Through route and service to Piers 20 and 21 ordered restored.

1140. Certain express shipments of fruits and vegetables, n. o. s., in carloads, originating on the Great Northern and Northern Pacific at points in the Northwest destined to Piers 20 and 21, New York, N. Y., found to have been overcharged.

Automatic train-control devices, 128 I. C. C. 662.

1141. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

1142. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Kalamazoo Vegetable Parchment Co. v. C. & S. Ry. Co., 128 I. C. C. 675.

1143. Upon complaint against ratings of waxed wrapping paper, vegetable-parchment wrapping paper, and vegetable-parchment paper wrappers, in official, southern, and western classifications, *Held*: That the ratings are not shown to be unlawful, except that for waxed wrapping paper, printed, the less-than-carload ratings in the official and western classifications and the carload rating in the southern classification are unreasonable; that for waxed wrapping paper, unprinted, the less-than-carload rating in the western classification is unreasonable; that for vegetable-parchment wrappers, in bundles, the less-than-carload rating in the southern classification is unreasonable; and that for vegetable-parchment wrapping paper, printed or unprinted, the carload rating in the western classification is unreasonable. Reasonable ratings prescribed for the future and reparation awarded to complainant.

1144. First-class rating provided in southern classification for wrappers, in bundles, found applicable to complainant's less-than-carload shipments of vegetable-parchment paper, printed and cut to size.

Caruso, Rinella, Battaglia Co. v. D. & R. G. W. R. R. Co., 128 I. C. C. 687.

1145. Rate on fresh peaches, in carloads, from Palisade, Colo., to Syracuse, N. Y., found not unreasonable or otherwise unlawful. Complaint dismissed.

Hyman-Michaels Co. v. Director General, 128 I. C. C. 689.

1146. Charges collected on one carload of wrought-iron scrap from Etowah, Tenn., to Cleveland, Ohio, found inapplicable in part. Reparation awarded.

Duplex Printing Press Co. v. B. C. E. Ry. Co., 128 I. C. C. 692.

1147. Shipments of printing presses, in carloads, from Vancouver, British Columbia, to Orlando, Fla., found overcharged. Applicable rate found not unreasonable or otherwise unlawful. Complaint dismissed.

Bakeries Service Corp. v. B. & M. R. R., 128 I. C. C. 695.

1148. Rates on printed waxed wrapping paper, in less than carloads, between points in official territory, found unreasonable. Reparation awarded.

N. Y. Insulated Wire Co. v. N. Y., N. H. & H. R. R. Co., 128 I. C. C. 698.

1149. Rates on copper wire, in carloads and less than carloads, from Phillipsdale, R. I., to Wallingford, Conn., found unreasonable. Reasonable rate prescribed and reparation awarded.

Tenn. Furniture Corp. v. B. & O. C. T. R. R. Co., 128 I. C. C. 701.

1150. Rate on enamel, other than watch dial, in carloads, from Cicero, Ill., to Chattanooga, Tenn., found unreasonable. Reparation awarded.

Kinnison Bros. v. C., B. & Q. R. R. Co., 128 I. C. C. 703.

1151. Carload rate charged on a shipment of one boiler and parts, from Kewanee, Ill., to Wichita Falls, Tex., found applicable. Complaint dismissed.

Du Pont de Nemours & Co. v. B. & O. R. R. Co., 128 I. C. C. 705.

1152. Rates on black powder, in carloads, moving in interstate commerce from Oriental siding, Fairchance, Pa., to destinations on the Western Maryland found unduly prejudicial but not unreasonable or unjustly discriminatory. Undue prejudice ordered removed. Reparation denied.

Tenn. Extract Corp. v. L. & N. R. R. Co. 128 I. C. C. 709.

1153. Rates on liquid tanning extract, in tank-car loads, from Nashville, Tenn., to Milwaukee, Wis., and on dry tanning extract, in carloads, from Nashville to Huntsville, Ontario, found unreasonable and unduly prejudicial. Reparation awarded.

1154. Applicable rates on dry tanning extract, in carloads, from Nashville to Kitchener, Ontario, found not unreasonable or otherwise unlawful.

Acme Brick Co. v. A. & V. Ry. Co., 128 I. C. C. 715.

1155. Rates on brick and clay products, in carloads, from Fort Smith and Perla, Ark., to destinations in Alabama, Florida, Georgia, Kentucky, Mississippi, and Tennessee, found unreasonable. Reasonable rates prescribed.

Alton Merchantile Co. v. A., T. & S. F. Ry. Co., 128 I. C. C. 721.

1156. Rate charged on three carloads of peanuts from Petersburg and Suffolk, Va., to Enid, Okla., found to have been unreasonable. Reparation awarded.

Culler Lumber Co. v. C., B. & Q. R. R. Co., 128 I. C. C. 723.

1157. Rates charged on lumber, in carloads, from Buick, Mo., to Hillsdale, Mich., found inapplicable. Reparation awarded. Complaint dismissed.

Maxwell Sons Commission Co. v. St. L.-S. F. Ry. Co., 128 I. C. C. 725.

1158. Rates charged on horses and mules, in carloads, from Sikeston and Oran, Mo., to Memphis, Tenn., found inapplicable on certain shipments and applicable on certain other shipments. Refund of overcharges directed. Complaint dismissed.

Cohen & Sons v. D., L. & W. R. R. Co., 128 I. C. C. 727.

1159. Assessment of reconsignment charges on carload shipments of scrap iron at Syracuse, N. Y., found unreasonable in certain instances. Reparation awarded.

Hostler Coal & Lumber Co. v. P. M. Ry. Co., 128 I. C. C. 731.

1160. Rate on anthracite coal, in carloads, from Avoca, Carbondale, Olyphant, and Parsons, Pa., to Fort Snelling, Minn., found unreasonable. Waiver of undercharges authorized. Complaint dismissed.

Cleveland-Akron Bag Co. v. C. of G. Ry. Co., 128 I. C. C. 733.

1161. Rate charge on two shipments of clayed cotton bagging, in carloads, from Chickamauga, Ga., to St. Joseph, Mo., found inapplicable. Refund of overcharges directed. Complaint dismissed.

Ash v. C., R. I. & P. Ry. Co., 128 I. C. C. 734.

1162. Demurrage charges on one car of lumber from Grant, La., held at Hope, Ark., found inapplicable to the extent indicated in report. Refund directed and complaint dismissed.

Va. Pig Iron Asso. v. C. & O. Ry. Co., 128 I. C. C. 737.

1163. Rates on pig iron, in carloads, from points of production in Virginia to destinations in Maryland, Pennsylvania, Delaware, New Jersey, New York, and New England States, found unreasonable but not otherwise unlawful. Reasonable rates prescribed for the future.

Jackson Traffic Bureau v. A. & V. Ry. Co., 128 I. C. C. 744.

1164. Rates on building material, in carloads, from Jackson, Miss., to Forsythe, Tenn., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Harbor Coaling Corp. v. B. & O. R. R. Co., 128 I. C. C. 747.

1165. Rate on bituminous coal, in carloads, from mines in the Clearfield, Meyersdale, and Cumberland-Piedmont districts of Pennsylvania, Maryland, and West Virginia, to Black Tom Pier, Jersey City, N. J., found not unreasonable but, except as maintained by the Pennsylvania, unduly prejudicial. Undue prejudice ordered removed. Reparation denied.

Harding Glass Co. v. M. P. R. R. Co., 128 I. C. C. 754.

1166. Rate charged on sand, in carloads, from Pacific, Mo., to Fort Smith, Ark., found inapplicable on some shipments and unreasonable on others moving over the St. Louis-San Francisco but applicable and not unreasonable on shipments moving over the Missouri Pacific between those points. Reparation awarded.

Federated Metals Corp. v. P. R. R. Co., 128 I. C. C. 757.

1167. Rate on brass and copper ingots, in carloads, from East Liberty, Pa., to Detroit, Mich., found unreasonable prior to July 1, 1926, but not unreasonable or otherwise unlawful thereafter. Reparation awarded.

1168. Fourth-section relief denied.

Cohen & Son v. C. R. R. Co. of N. J., 129 I. C. C. 1.

1169. Rate charged on structural steel, in carloads, from Jersey City, N. J., to Luzerne, Pa., found not unreasonable or otherwise unlawful. Complaint dismissed.

Pacific Coast fourth section applications, 129 I. C. C. 3.

1170. Fourth-section relief to establish or continue class and commodity rates between San Francisco and other California points and Portland and other Oregon, Washington, and Idaho points lower than at intermediate points granted, subject to conditions set forth in the report.

1171. Relief granted Southern Pacific Company and Atchison, Topeka & Santa Fe respecting rates between northern and southern California ports, subject to condition set forth in the report.

1172. Relief granted as to rates on automobiles between San Francisco and Oakland, on the one hand, and Seattle, Tacoma, and other Washington points, on the other.

1173. Relief denied as to rates on lumber from Oregon, California, and Nevada points to destinations in southern California.

Calif. Growers' & Shippers' Protective League v. S. P. Co., 129 I. C. C. 25.

1174. Rate of \$1.73 per 100 pounds on fresh deciduous fruits, other than apples, in carloads, from California to destinations in transcontinental Groups A to M, inclusive (except Group J), found unreasonable to the extent that it exceeds \$1.60. Rate of \$1.62 on the same commodities from California to Group J points found unreasonable to the extent that it exceeds \$1.50. These rates prescribed for the future as the lowest possible lawful rates compatible with the maintenance of adequate transportation service and necessary to promote the freedom of movement of the specified products of agriculture now affected by depression. Increase in the carload minimum on grapes from 26,000 pounds to 30,000 pounds authorized.

West Fla. Lumber Co. v. G., F. & A. Ry. Co., 129 I. C. C. 62.

1175. Charges on sawmill machinery, in carloads, from Darnell, La., to Carabelle, Fla., found inapplicable. Reparation awarded.

Smith-Wilson & Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 65.

1176. Rates, rules, and regulations on cotton, any quantity, shipped uncompressed to be compressed by and at carrier's expense, from points in the Pecos Valley of New Mexico on the Santa Fe to Texas Gulf ports via Pecos, Tex., and beyond over the Texas & Pacific, Sweetwater, Tex., and the Santa Fe, found not unreasonable.

1177. Establishment of joint rates on that traffic and over that route, with concentration at Pecos, which would short haul the Santa Fe system route via Clovis, N. Mex., and Sweetwater, with concentration at Roswell, N. Mex., found not necessary or desirable in the public interest. Complaint dismissed.

Glarner & Co. v. S. Ry. Co., 129 I. C. C. 75.

1178. Rates charged on shipments of cotton linters, in carloads, billed as cottonseed-hull fiber or shavings, not bleached or dyed, from points in Georgia, South Carolina, and Alabama to destinations in the District of Columbia, Virginia, New York, New Jersey, Pennsylvania, Connecticut, and Louisiana found applicable, and not unduly prejudicial. Complaint dismissed.

Crown Willamette Paper Co. v. W. T. Co., 129 I. C. C. 79.

1179. Rates on newsprint and wrapping paper, in carloads, from Camas, Wash., and West Linn and Lebanon, Oreg., to Oregon, California, Nevada, Montana, Wyoming, Colorado, Arizona, and Texas, found not unreasonable or unduly prejudicial. Complaint dismissed.

Turner Lumber & Investment Co., v. C. & N. W. Ry. Co., 129 I. C. C. 84.

1180. Demurrage charges on a carload of pine lumber at Aberdeen, S. Dak., found applicable. Complaint dismissed.

Ill. Steel Bridge Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 87.

1181. Rate charged on one carload of structural steel from Indiana Harbor, Ind., to Blythe, Calif., found not unreasonable. Complaint dismissed.

North American Cement Corp. v. W. M. Ry. Co., 129 I. C. C. 90.

1182. Rate charged on crushed stone, in carloads, shipped from Security, Md., to Best Gate, Md., over the Western Maryland, found applicable but unreasonable.

1183. Rate charged on the same commodity shipped from Security to Best Gate, and from Martinsburg, W. Va., to certain other Maryland destinations, over the Baltimore & Ohio, found inapplicable.

1184. Reparation awarded.

1185. Present rates found not unreasonable or otherwise unlawful.

Automatic train-control devices, 129 I. C. C. 93.

1186. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

1187. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Mobile Chamber of Commerce v. A. & V. Ry. Co., 129 I. C. C. 103.

1188. Rates applicable on cotton and cotton linters for export or coastwise movement from certain points west of the Mississippi River to Mobile, Ala., by rail to Alabama ports on the Warrior River and barge beyond, found not unduly prejudicial.

1189. Certain defendants expected to publish rail-and-barge rates on cotton and cotton linters from certain points in western Tennessee, western Kentucky, and Mississippi to Mobile, by rail to Alabama ports on the Warrior River and barge beyond.

Three Forks Portland Cement Co. v. C., B. & Q. R. R. Co., 129 I. C. C. 107.

1190. Rates on Portland cement, in carloads, from Hanover and Trident, Mont., to western and central portions of North Dakota and South Dakota, coterminous with original and extended cement Scale IV territory in those States, found unreasonable and unduly prejudicial.

1191. Rates on wall plaster, in carloads, from Hanover to the same territory of destination found unreasonable, and, as applied to destinations in the western half of South Dakota, unduly prejudicial.

1192. Rates on Portland cement and wall plaster, in mixed carloads, from Hanover to the same territory found not unreasonable but unduly prejudicial.

1193. Failure to provide for stopping in transit to partially unload shipments of Portland cement and wall plaster, in straight or mixed carloads, from Hanover and Trident to the same territory found unduly prejudicial.

1194. Maximum reasonable and nonprejudicial bases prescribed.

Cynthiana Construction Co. v. L. & N. R. R. Co., 129 I. C. C. 122.

1195. Demurrage charges collected on 25 carloads of sand and gravel held short of destination by defendant under claim of constructive placement, at or near Independence, Ky., found inapplicable. Refund directed and complaint dismissed.

Northrup, King & Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 125.

1196. Rates on millet seed, in carloads, from points in Colorado, Kansas, Nebraska, North Dakota, and South Dakota to Minneapolis, Minn., found unreasonable. Reparation awarded.

United Paperboard Co. v. A. & R. R. Co., 129 I. C. C. 131.

1197. Rates on strawboard, in carloads, from various producing points in Ohio, Indiana, Michigan, Illinois, and Iowa to Texas common points and to San Francisco and Petaluma, Calif., found not unreasonable nor unduly prejudicial. Complaints dismissed.

Des Moines Board of Trade v. F. D., D. M. & S. R. R. Co., 129 I. C. C. 138.

1198. Proportional rates on grain and grain products, in carloads, from Des Moines, Iowa, to destinations in Louisiana west of the Mississippi River found not unreasonable but unduly prejudicial. Undue prejudice ordered removed.

Mobile Chamber of Commerce v. A. & V. Ry. Co., 129 I. C. C. 147.

1199. Rates on canned goods, in straight or mixed carloads, from Mobile, Ala., to destinations in Georgia, Mississippi, Tennessee, Kentucky, Missouri, Ohio, and Illinois, and from New Orleans, La., to Nashville, Tenn., found unreasonable, as indicated. Reasonable rates prescribed for the future.

American Feed Mfrs.' Asso. v. A. & S. Ry. Co., 129 I. C. C. 157.

1200. Defendants' transit rules, regulations, and practices as applied to carload shipments of cottonseed cake and meal from points in the Southwest and the Mississippi Valley to York and Lancaster, Pa., and Buffalo, N. Y., there mixed into feed and the feed forwarded to destinations in central, trunk-line, and New England territories, found unreasonable and unduly prejudicial.

1201. Rates on cottonseed cake and meal, in carloads, from points in the Southwest and the Mississippi Valley to destinations in central, trunk-line, and New England territories, found unreasonable and unduly prejudicial.

1202. Reparation awarded.

Chadwick Coal Yard Co. v. N. Y., N. H. & H. R. R. Co., 129 I. C. C. 165.

1203. Rates on anthracite coal, in carloads, from the anthracite region of Pennsylvania to specified destinations within the district of metropolitan Boston, Mass., but outside of the Boston switching district, found not unreasonable but unduly prejudicial, and undue prejudice ordered removed. Reparation denied.

Curtiss Aeroplane & Motor Co. v. P. R. R. Co., 129 I. C. C. 174.

1204. Rate on petroleum fuel oil, in tank-car loads, from Pettys Island, N. J., to Garden City, Long Island, N. Y., found unreasonable. Reasonable rate prescribed and reparation awarded.

Colbert Limerock Asphalt Co. v. A. C. R. R. Co., 129 I. C. C. 177.

1205. Rates on limestone containing 2.5 per cent or more of asphalt, broken, crushed, or ground, in carloads, from Margerum and Colrock, Ala., to destinations in southern territory, except in Florida, found unreasonable and unduly prejudicial. Reasonable maximum rates prescribed. Reparation denied.

1206. Fourth-section relief denied.

Fourth section departures, 129 I. C. C. 187.

1207. Petition for amendment of fourth-section order No. 144, general No. 5, so as to permit changes in classification ratings, rules, and regulations without observing the fourth section of the interstate commerce act, denied.

Coal and Coke from Western Ky., Ala., and Tenn., 129 I. C. C. 197.

1208. Authority to establish and maintain rates on coal, in carloads, from mines on the Louisville & Nashville in western Kentucky to Helena, Ark., in connection with the Missouri Pacific at Memphis, Tenn., lower than to intermediate points in Arkansas, denied.

1209. Authority to continue rates on coal in carloads, from mines on the Louisville & Nashville in western Kentucky to points in Mississippi and Tennessee, lower than to intermediate points, denied.

1210. Authority to continue rates on coke, in carloads, from points on the St. Louis-San Francisco in Alabama and Tennessee to points on the Illinois Central and Yazoo & Mississippi Valley, lower than to intermediate points, granted.

1211. Authority to continue rates on coke, in carloads, from points on the Southern Railway and Northern Alabama Railway in Alabama, Kentucky, and Tennessee to points on the Illinois Central and Yazoo & Mississippi Valley, lower than to intermediate points, granted.

Chicago Coal Merchants Asso. v. N. Y. C. R. R. Co., 129 I. C. C. 203.

1212. Rates charged on coal, in carloads, from points in southern Illinois, Indiana, and Kentucky to certain points within the Chicago switching district found applicable and not unreasonable or otherwise unlawful. Complaint dismissed.

Standard time zone investigation, 129 I. C. C. 209.

1213. Previous orders, based upon the original and supplemental reports herein, 51 I. C. C. 273, 555, defining limits of United States standard Central and Mountain time zones, modified so as to place certain portions of the State of Kansas now in the Mountain zone within the Central time zone.

Cooperative Oil & Paint Co. v. Director General, 129 I. C. C. 213.

1214. Upon reconsideration two statements in former reports, 88 I. C. C. 747 and 122 I. C. C. 227, restated without change in conclusions.

Fertilizers and Fertilizer Materials, 129 I. C. C. 215.

Upon further consideration, *found*:

1215. That fourth-section order No. 9346 should be amended to authorize carriers operating circuitous routes to meet the rates of the direct lines and to maintain higher rates from and to intermediate points although such rates may exceed the scale prescribed in our original report, 113 I. C. C. 389, if strictly applied.

1216. That the petition of the Carolina Railroad for relief from the long-and-short-haul provision of the fourth section with respect to rates to Snow Hill, N. C., should be denied.

1217. That the Nelson & Albemarle Railway Company, the Linville River Railway Company, and the Atlanta & St. Andrews Bay Railway Company should be permitted to charge rates 50 cents per ton in excess of the standard-line scale prescribed in our original report.

1218. That the petitions of the Louisville & Nashville on behalf of the Glasgow Railway Company and the Elkton & Guthrie Railroad Company for authority to charge 50 cents per ton in excess of the standard-line scale should be denied.

Leggett & Platt Spring Bed & Mfg. Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 219.

1219. Rates on bed springs or spring beds, compressed, in carloads, from Carthage, Mo., to points in Oklahoma and Texas found unreasonable and unduly prejudicial on and since November 27, 1923. Reasonable maximum basis of rates prescribed, and reparation awarded.

American Grain & Hay Co. v. I. C. R. R. Co., 129 I. C. C. 225.

1220. Failure of defendants to maintain the same through rates via Memphis, Tenn., with transit arrangements thereat, as they maintain via East St. Louis and Cairo, Ill., on grain and grain products, in carloads, from points on the Illinois Central in Iowa, Illinois, Minnesota, and Wisconsin to destinations on their lines in Arkansas and Texas south of Brinkley, Ark., found to result in undue prejudice. Undue prejudice ordered removed.

Lynchburg Chamber of Commerce v. E. R. R. Co., 129 I. C. C. 230.

1221. Rates on unprinted fruit wrappers, in less than carloads, from Hamburg, N. J., to Lynchburg, Va., found not unreasonable or otherwise unlawful. Complaint dismissed.

Hausman & Sons Co. v. P. R. R. Co., 129 I. C. C. 233.

1222. Rates on scrap brass and brass ingots, in carloads, from Pittsburgh, Pa., to Newark and Jersey City, N. J., and Baltimore, Md., found unreasonable. Certain shipments found overcharged. Reparation awarded.

Jackson v. M. C. R. R. Co., 129 I. C. C. 235.

1223. Rates on wooden last blocks, in carloads, from Gaylord, Mich., to New York, N. Y., Brockton, Mass., and Philadelphia, Pa., found unreasonable. Reasonable rates for the future prescribed, and reparation awarded.

Bunker Hill & Sullivan Mining & Concentrating Co. v. N. P. Ry. Co., 129 I. C. C. 242.

1224. Failure and refusal of defendants to establish a smelting-in-transit arrangement at East Helena, Mont., on lead ore and concentrates from Kellogg and Bradley, Idaho, to eastern destinations found not to result in unjust discrimination or undue prejudice. Complaint dismissed.

Rinehart & Dennis Co. v. C. of G. Ry. Co., 129 I. C. C. 247.

1225. Rates on relaying rails, in carloads, from Bellwood and Hartford, Ala., to Hellams, S. C., found unreasonable. Reparation awarded.

Merrill Engineering Co. v. G., M. & N. R. R. Co., 129 I. C. C. 249.

1226. Rates charged on asphalt, in carloads, from North Baton Rouge, La., to Louisville and Philadelphia, Miss., found applicable and not unreasonable. Complaint dismissed.

Sinclair Pipe Line Co. v. G. N. Ry. Co., 129 I. C. C. 251.

1227. Rates charged on shipments of copper wire, in carloads, from Black Eagle, Mont., to Northport, Nebr., found applicable. Similar shipments to Topeka, Kans., and Lexington, Nebr., found overcharged. Refund of overcharges directed and complaint dismissed.

Pearce v. G. N. Ry. Co., 129 I. C. C. 253.

1228. Damage to a carload of watermelons in transit from Pritchett, Ga., to Cincinnati, Ohio, not shown to have resulted from error of carrier in way-billing. Complaint dismissed.

Woodstock Lumber Co. v. B. & A. R. R. Co., 129 I. C. C. 255.

1229. Rates on lumber, in carloads, from points in Maine on the Bangor & Aroostook Railroad to interstate destinations in New England found not unreasonable or otherwise unlawful. Complaint dismissed.

Grain and Grain Products, 129 I. C. C. 261.

1230. Proposed increased proportional rates on grain and grain products from Colorado, Kansas, and Nebraska points to Kansas City, Mo.-Kans., and from Kansas points to Wichita, Kans., destined to Gulf ports for export, for application when the movement beyond Kansas City or Wichita is over certain routes, found not justified. Suspended schedules ordered canceled and proceedings discontinued.

Maine Spinning Co. v. B. & M. R. R., 129 I. C. C. 266.

1231. Rates on wooden bobbins, in less than carloads, returned empty from points in Massachusetts on the Boston & Maine Railroad to Skowhegan, Me., not shown to be unreasonable or otherwise unlawful. Complaint dismissed.

National Cannery Asso. v. B. & O. R. R. Co., 129 I. C. C. 269.

1232. Commodity rates on canned goods, including canned milk, in carloads, from points in Illinois Freight Association and central territories to Memphis, Tenn., New Orleans, La., and other points in the lower Mississippi Valley, found not unjust or unreasonable. Complaint dismissed.

1233. Upon further hearing of complaint attacking commodity rates on canned goods, in carloads, from points throughout the State of Wisconsin and from St. Paul, Minn., to destinations in the lower Mississippi Valley: *Found*, that the present rates from Middleton, Wis., and certain named points in Wisconsin in the so-called St. Paul group to such destinations are unreasonable. Reasonable basis for the future prescribed. Original report, 96 I. C. C. 208.

Sinclair Oil & Gas Co. v. M. & O. R. R. Co., 129 I. C. C. 281.

1234. Rate on carload shipment of oil-well machinery from Mobile, Ala., to Tulsa, Okla., found not unreasonable or inapplicable. Complaint dismissed.

Apex Co. v. A. & V. R. R. Co., 129 I. C. C. 283

1235. Rates on finished wall paper, in carloads, from various points or origin in Illinois, Missouri, New York, and Pennsylvania to Dallas and Fort Worth, Tex., via all-rail, rail-water-and-rail, and water-and-rail routes found not unreasonable. Complaint dismissed.

Bahr Bros. Mfg. Co. v. C., C. & St. L. Ry. Co., 129 I. C. C. 289.

1236. Second-class rating on worn-out paper-mill grinding plugs in less than carloads in official, southern, and western classifications found unreasonable. Rating of third class prescribed.

Binding-Stephens Seed Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 291.

1237. Rate on soy, soja, or soya beans, in carloads, from Bloomington, Ill., to Fort Smith, Ark., found unreasonable. Reparation awarded and reasonable rate for the future prescribed.

Buffalo Brick Co. v. C. & N. W. Ry. Co., 129 I. C. C. 294.

1238. Rate on paving brick, in carloads, from Buffalo, Kans., to Dodge Street (Irvington), Nebr., found not unreasonable, but unduly prejudicial. Reparation awarded.

Virginia Cellulose Co. v. N. & W. Ry. Co., 129 I. C. C. 297.

1239. Cotton-linter rates charged on various carload shipments described as cottonseed-hull fiber or shavings, from various points in Georgia, North Carolina, South Carolina, Mississippi, and Alabama, to Hopewell, Va., found applicable and not unreasonable. Complaint dismissed.

Metal Package Corp. v. B. & O. R. R. Co., 129 I. C. C. 301.

1240. Rate on empty tin cans, in carloads, from Baltimore, Md., to Bushwick station, Brooklyn, N. Y., found unreasonable. Reparation awarded.

Texas Refining Co. v. C., R. I. & P. Ry. Co., 129 I. C. C. 304.

1241. Rates on lard substitutes, in carloads, from Greenville, Tex., to destinations in Arkansas, in Louisiana west of the Mississippi River, and to Joplin, Mo., found unreasonable. Reparation awarded.

Aycock-Holley Lumber Co. v. A. C. L. R. R. Co., 129 I. C. C. 306.

1242. Applicable rate on lumber, in carloads, from Luverne, Ala., to Sarasota, Fla., found not unreasonable. Refund of overcharge directed. Complaint dismissed.

Lynchburg Chamber of Commerce v. N. Y., N. H. & H. R. R. Co., 129 I. C. C. 309.

1243. Rate on cotton piece goods, in less than carloads, from certain points in Connecticut, Massachusetts, and Rhode Island, to Lynchburg, Va., found not unreasonable, or otherwise unlawful. Complaint dismissed.

Fena v. A., T. & S. F. Ry. Co., 129 I. C. C. 311.

1244. Rates on grapes, in carloads, from points in California to Hibbing, Gilbert, Ely, Chisholm, and Keewatin, Minn., found unreasonable. Reparation awarded.

Continental Roofing & Mfg. Co. v. G. & S. I. R. R. Co., 129 I. C. C. 313.

1245. Rates on liquid asphalt, in tank-car loads, from Mereaux, Destrehan, and New Orleans, La., to Mobile, Ala., found unreasonable. Reasonable rates prescribed and reparation awarded.

General Sprayer Co. v. A., B. & A. Ry. Co., 129 I. C. C. 318.

1246. Rates on "80-5-15" dry insecticides, in carloads, from Jacksonville, Fla., to Fort Valley, Marshallville, and Perry, Ga., found not unreasonable. Complaint dismissed.

Pine & Cypress Mfg. Co. v. W. & L. R. R. Co., 129 I. C. C. 321.

1247. Shipment of a carload of lumber from Logan, Ga., to Paintsville, Ky., found not misrouted. Complaint dismissed.

Hill v. A., T. & S. F. Ry. Co., 129 I. C. C. 323.

1248. Reparation awarded upon certain less-than-carload shipments of fruits and vegetables from California points to Prescott, Ariz., on which charges were paid at rates found unreasonable in our previous report, 107 I. C. C. 101.

Milne Lumber Co. v. D., T. & I. R. R. Co., 129 I. C. C. 324.

1249. Demurrage charges collected for detention of certain interstate carload shipments of lumber at Detroit, Mich., found applicable, and of certain other shipments found inapplicable. Refund of overcharges directed. Complaint dismissed.

South Ala. Grocery Co. v. C. of G. Ry. Co., 129 I. C. C. 327.

1250. Carload of shelled peanuts from Samson, Ala., to Camden, N. J., found to have been misrouted, but without resulting damage to complainant. Complaint dismissed.

Wood Working Co. v. O.-W. R. R. & N. Co., 129 I. C. C. 329.

1251. Rates on common unglazed doors, in straight carloads, from points in Oregon to destinations in trunk-line and New England territories found unreasonable. Reparation awarded.

Peters Mill Co. v. Director General, 129 I. C. C. 331.

1252. Rates on imported burlap, in carloads, from Pacific coast points to Omaha, Nebr., during the period July 18, 1918, to July 19, 1919, found not unreasonable. Complaint dismissed.

Bufflein Lumber & Mfg. Co. v. O.-W. R. R. & N. Co., 129 I. C. C. 336.

1253. Rates on lumber and other forest products, in carloads, from certain points in the Puget Sound district of the State of Washington to points on the Oregon Short Line in southern Idaho and northwestern Utah found not unreasonable or unjustly discriminatory but unduly prejudicial as compared with the coast-group basis applicable from Portland, Oreg. Nonprejudicial adjustment prescribed.

Carnes v. A., T. & S. F. Ry. Co., 129 I. C. C. 341.

1254. Refusal of defendants St. Louis-San Francisco and Kansas City, Clinton & Springfield to switch cars to and from complainant's track at Olathe, Kans., upon reasonable request found unlawful in violation of section 1 of the interstate commerce act and to have subjected complainant to undue prejudice in violation of section 3. Further hearing ordered as to measure of complainant's damage.

Import iron and steel articles, 129 I. C. C. 350.

1255. Schedules proposing rates revised in purporting compliance with *Import Iron and Steel from Gulf Ports*, 115 I. C. C. 373, 118 I. C. C. 482, for application on imported iron and steel articles, in carloads, from Texas Gulf ports to St. Louis, Mo., and Little Rock and Pine Bluff, Ark.; from three of these ports to various destinations in Oklahoma and southern Kansas; and from two of three ports, on most iron and steel articles, to Kansas City, Mo., found not justified. Suspended schedules ordered canceled without prejudice to the filing of new schedules naming the rates or bases of rates herein found reasonable. Proceeding discontinued.

1256. Fourth-section relief granted.

Washington Publishers' Asso. v. B. & O. R. R. Co., 129 I. C. C. 360.

1257. On further hearing, complainants and interveners, found entitled to reparation on shipments of newsprint paper, in carloads, from Philadelphia, Pa., and from points in New England, New York, and Canada to Washington, D. C. Former reports herein, 98 I. C. C. 339 and 102 I. C. C. 662.

West Coast Lumbermen's Asso. v. C., M. & St. P. Ry. Co., 129 I. C. C. 363.

1258. Rates on lumber and other forest products, in carloads, from certain points in Oregon and Washington to destinations on the Minneapolis, St. Paul & Sault Ste. Marie in Minnesota, Montana, North Dakota, and South Dakota, found unduly prejudicial but not unreasonable or unjustly discriminatory. Undue prejudice ordered removed.

Hudson Mule Co. v. L. & N. R. R. Co., 129 I. C. C. 365.

1259. Upon further consideration, carload rates on horses and mules from St. Louis, Mo., Ohio River crossings, and numerous other points to Atlanta, Ga., and certain other points prior to May 16, 1923, found not unreasonable. Previous reports, 63 I. C. C. 6, 74 I. C. C. 419, and 93 I. C. C. 325, reversed. Reparation orders vacated and complaints dismissed.

American Book Co. v. A. A. R. R. Co., 129 I. C. C. 372.

1260. Ratings on school books, in carloads and less than carloads, in official, southern, and western classifications, found not unreasonable. Complaint dismissed.

Beatrice Creamery Co. v. C., M. & St. P. Ry. Co., 129 I. C. C. 375.

1261. Interstate rates on cream, in 10-gallon cans, in baggage cars in passenger and mixed-train service, from certain points in North Dakota and South Dakota to Aberdeen, S. Dak., found unreasonable but not unduly prejudicial. Reasonable rates prescribed for the future and reparation awarded.

Procter & Gamble Co. v. A. & V. R. R. Co., 129 I. C. C. 385.

1262. Upon reconsideration, certain rates on rosin, in carloads, from points in the South and Southeast to Hamilton, Ontario, Canada, found to be unlawful under section 4. Former report, 112 I. C. C. 381.

Routing on Cotton, 129 I. C. C. 387.

1263. Proposed routing restrictions on cotton in bales, in carloads, from points in Alabama and Mississippi to Carolina destinations and south Atlantic ports found justified, with certain exceptions. Proceeding discontinued.

Soap and Soap Powder, 129 I. C. C. 392.

1264. Proposed cancellation of commodity rates on soap and related articles, in carloads, between points in western trunk-line territory and between points in Illinois classification territory, found justified in part. Suspended schedules ordered canceled without prejudice to the filing of new schedules in conformity with the findings herein. Proceeding discontinued.

Okla. Traffic Asso. v. A., T. & S. F. Ry. Co., 129 I. C. C. 403.

1265. Rates on unfinished broom handles, in carloads, from Antigo, Wis., and Tacoma, Wash., to Oklahoma City, Okla., found unreasonable. Reparation awarded.

Swift & Co. v. G. & F. Ry., 129 I. C. C. 407.

1266. Rates on fresh meats and packing-house products, in straight and mixed carloads, and on green salted hides and grease in straight carloads from Moultrie, Ga., to interstate destinations found unreasonable. Reparation awarded.

Mirabal Motor Co. v. M. C. R. R. Co., 129 I. C. C. 411.

1267. Rates on automobiles, in carloads, from Lansing and North Flint, Mich., and on a steam condenser, less than carload, from Philadelphia, Pa., to Santa Fe, N. Mex., found not unreasonable or otherwise unlawful, except that one shipment was overcharged as indicated in the report. Refund of overcharges directed. Complaints dismissed.

Dawkins Lumber Co. v. C. & O. Ry. Co., 129 I. C. C. 415.

1268. Carload rates from Dawkins, Ky., to points in central and eastern trunk-line territories, charged on shipments of lumber originating at Royalton, Ky., found unduly prejudicial. Undue prejudice ordered removed.

Mobile Chamber of Commerce v. M. S., B. & P. Ry. Co., 129 I. C. C. 419.

1269. Export and coastwise rates on lumber, logs, crossties, and staves, in carloads, from points on the Muscle Shoals, Birmingham & Pensacola Railway to Mobile, Ala., found unreasonable and unduly prejudicial. Reasonable and nonprejudicial rates prescribed for the future. Reparation awarded.

Jewel Tea Co. v. D., L. & W. R. R. Co., 129 I. C. C. 424.

1270. Rates charged on less-than-carload shipments of food products and merchandise from Hoboken, N. J., to Norfolk and Richmond, Va., found inapplicable. Refund of overcharges directed. Complaint dismissed.

Montello Granite Co. v. M., St. P. & S. S. M. Ry. Co., 129 I. C. C. 427.

1271. Rates on rough granite, in carloads, from Bradford and Westerly, R. I., to Montello, Wis., found not unreasonable or otherwise unlawful. Complaint dismissed.

Simpson Co. v. G. T. W. Ry. Co., 129 I. C. C. 430.

1272. Refrigeration charges on tomatoes, in carloads, from Port Huron, Mich., to Toronto, Ontario, and Montreal, Quebec, found not unreasonable. Complaint dismissed.

Southern Cotton & Paper Co. v. A. & W. P. R. R. Co., 129 I. C. C. 433.

1273. Rates on cotton linters, in carloads, from Lakewood Station and Rome, Ga., to Chattanooga, Tenn., found unreasonable. Reparation awarded.

Bruce & Co. v. C. & N. W. Ry. Co., 129 I. C. C. 435.

1274. Rates on muriatic, sulphuric, and nitric acids, in carloads, from Kansas City, Mo.-Kans., Grasselli, Ind., and Hedgewisch, Ill., to Omaha, Nebr., found not unreasonable. Complaint dismissed.

Coulbourn Fruit Co. v. B. & O. R. R. Co., 129 I. C. C. 441.

1275. Finding in original report, 104 I. C. C. 734, that the rate charged on one carload of tomatoes from Gibson, Tenn., to Youngstown, Ohio, was unreasonable, and award of reparation, affirmed.

Barnsdall Refineries v. C., R. I. & P. Ry. Co., 129 I. C. C. 443.

1276. Rate charged on petroleum fuel oil, in carloads, from Grandfield, Okla., originally destined to Granite City, Ill., and diverted to East Chicago, Ind., found inapplicable. Applicable rate found not unreasonable. Reparation awarded.

Carson, Pirie, Scott & Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 446.

1277. Ratings of first class, any quantity, on carpets and rugs in official, southern, and western territories, found not unreasonable or unduly prejudicial. Complaint dismissed.

Mitchell Chamber of Commerce v. C., M. & St. P. Ry. Co., 129 I. C. C. 451.

1278. Interchange switching charges maintained by defendant at Mitchell, S. Dak., on line-haul traffic found unreasonable and unduly prejudicial. Reasonable and nonprejudicial charge prescribed for the future.

Milne Lumber Co. v. N. Y. C. R. R. Co., 129 I. C. C. 457.

1279. In the absence of information as to route of movement it is not possible to determine the applicable rate on a carload of lumber from Woodbury, Ga., consigned to East St. Louis, Ill., and reconsigned to Buffalo, N. Y. Complaint dismissed.

Potatoes from Kansas City, 129 I. C. C. 458.

1280. Proposed increased rate on potatoes, in carloads, from Kansas City, Mo.-Kans., to Coffeyville, Kans., found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Okla. Traffic Asso. v. St. L.-S. F. Ry. Co., 129 I. C. C. 461.

1281. Rate on pig lead, red lead, and litharge, in carloads, from Joplin, Mo., to Oklahoma City, Okla., found unreasonable but not unduly prejudicial. Reasonable rates prescribed for the future and reparation awarded.

White Eagle Oil & Refining Co. v. C., B. & Q. R. R. Co., 129 I. C. C. 467.

1282. Interstate rates on refined petroleum products, in carloads, from Augusta, Topeka, and El Dorado, Kans., to St. Francis, Kans., and intermediate points in Kansas and Nebraska, found unreasonable. Reparation awarded.

Hudson Valley Coke & Products Co. v. N. Y., N. H. & H. R. R. Co., 129 I. C. C. 472.

1283. Rates on coke, in carloads, from Troy, N. Y., to destinations in New England territory found unreasonable. Reasonable rates prescribed for the future and reparation awarded.

Calkins, Augsburg & Mikan v. M. C. R. R. Co., 129 I. C. C. 475.

1284. Rate charged on sheep, in double-deck cars, from Chicago, Ill., to Wolverine, Mich., found applicable, but minimum weight found unreasonable. Reparation awarded.

Merchants & Planters Compress & Warehouse Co. v. G., H. & H. R. R. Co., 129 I. C. C. 477.

1285. Demurrage rules and charges applicable to shipments of cotton to Galveston, Tex., found not unreasonable or otherwise unlawful. Complaint dismissed.

Automatic train-control devices, 129 I. C. C. 483.

1286. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

1287. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Automatic train-control devices, 129 I. C. C. 490.

1288. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved, except as indicated.

1289. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Jackson Traffic Bureau v. I. C. R. R. Co., 129 I. C. C. 497.

1290. Carload rate on pears from Fayette Junction, Ark., to Jackson, Miss., found unreasonable. Reparation awarded.

Washington Coal Producers Asso. v. U. P. R. R. Co., 129 I. C. C. 499.

1291. Carload rate on bituminous coal from mines in Utah to Seattle, Wash., and other north Pacific coast ports for transshipment beyond by water found not unreasonably low or otherwise unlawful. Complaint dismissed.

Albemarle Paper Mfg. Co. v. R., F. & P. R. R. Co., 129 I. C. C. 502.

1292. Rates on wrapping paper, in carloads, from Richmond, Va., to Harlem River, N. Y., found unreasonable. Reasonable rate prescribed for the future and reparation awarded.

Enochs Lumber & Mfg. Co. v. I. C. R. R. Co., 129 I. C. C. 505.

1293. Unfigured pine, gum, and cypress veneer, in carloads, shipped from West Helena, Ark., to Jackson, Miss., found not misrouted and applicable rate found not unreasonable. Complaint dismissed.

Bowman Lumber Co. v. I. C. R. R. Co., 129 I. C. C. 507.

1294. Rate on bituminous lump coal, in carloads, from Zeigler, Ill., to Logan and Woodbine, Iowa, found not unreasonable or otherwise unlawful. Complaint dismissed.

Romann & Bush P. I. & C. Co. v. A., T. & S. F. Ry. Co., 129 I. C. C. 509.

1295. Charges assessed on interstate shipments of smithing coal, in carloads, from San Diego to Los Angeles, Calif., found not unreasonable or otherwise unlawful. Complaint dismissed.

Simmons Co. v. W. P. R. R. Co., 129 I. C. C. 511.

1296. Rate charged on a carload of wood shipping blocks from Kenosha, Wis., to San Francisco, Calif., found applicable. Complaint dismissed.

Columbus Bolt Works Co. v. P. R. R. Co., 129 I. C. C. 512.

1297. Claim for reparation on shipments of certain rods, known as nut flats, in carloads, from North Tonawanda, N. Y., to Columbus, Ohio, found barred by the statute of limitations. Present rate found not unreasonable. Complaint dismissed.

National Tube Co. v. Director General, 129 I. C. C. 515.

1298. Shipments of wrought pipe, in carloads, from Ellwood City, McKeesport, and Pittsburgh, Pa., Syracuse, N. Y., Lorain, Ohio, and Wheeling, W. Va., to destinations in California during the period March 1, 1920, to November 30, 1921, inclusive, found to be barred by the statute of limitations. Complaint dismissed as to such shipments.

Transit arrangement on lumber, 129 I. C. C. 518.

1299. Proposed withdrawal of transit arrangements at points on the Wabash Railway on lumber, in carloads, originating on the Gulf, Mobile & Northern and certain of its short-line connections found not justified. Suspended schedules ordered canceled and proceeding discontinued.

Inland Waterways Corp. v. C. G. W. R. R. Co., 129 I. C. C. 521.

1300. Through routes and joint rail-barge and rail-barge-rail rates between St. Paul and Minneapolis, Minn., and Fargo, N. Dak., and points in Illinois, Indiana, Iowa, and Missouri, in connection with complainant's barge line between Dubuque, Iowa, and St. Paul and Minneapolis found desirable in the public interest. Rates and basis of divisions prescribed.

Automatic train-control devices, 129 I. C. C. 537.

1301. After inspection and test, installation found to meet the requirements of our specifications and order, and installation approved.

1302. Requirements prescribed in respect of certain apparatus and operations with which the carrier is expected promptly to comply.

Scrap lead and zinc from Pittsburgh, 129 I. C. C. 541.

1303. Proposed carload rates on scrap lead and zinc from Pittsburgh, Pa., group points to destinations in trunk-line and New England territories found justified. Suspension order vacated and proceeding discontinued.

West Texas Chamber of Commerce v. H. & T. C. R. R. Co., 129 I. C. C. 546.

1304. Rates on granite, in carloads and less than carloads, from Granite Mountain, Llano, Teich, and Fredericksburg, Tex., to destinations in Arizona, Arkansas, Colorado, Illinois, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Tennessee, Utah, and Wyoming found unreasonable but not unduly prejudicial. Reasonable bases of rates prescribed for the future.

Ground iron ore to points in Texas, 129 I. C. C. 557.

1305. Proposed increased rates on ground iron ore, in carloads, from points in Virginia, Tennessee, and Alabama, and from East St. Louis, Ill., to Beaumont, Galveston, Houston, and Orange, Tex., and destinations taking same rates, found not justified, without prejudice to filing of new schedules in conformity with conclusions herein. Suspended schedules ordered canceled and proceeding discontinued.

Restriction in routing lumber and forest products, 129 I. C. C. 561.

1306. Cancellation of route over Chicago & Eastern Illinois in connection with joint rates on lumber and forest products, in carloads, from points in the Mississippi Valley to East St. Louis, Ill., and St. Louis, Mo., found justified. Order of suspension vacated and proceeding discontinued.

Combination rule on lumber, 129 I. C. C. 564.

1307. Proposed restriction of combination rule in connection with rates on lumber and other forest products from southern territory to interstate points, when used as factors of combination rates, found not justified, without prejudice to filing of new schedules in conformity with the views expressed herein. Suspended schedules ordered canceled and proceeding discontinued.

Fruits and vegetables between Pacific Coast States, 129 I. C. C. 569.

1308. Finding of division 2 in original report herein, 104 I. C. C. 66, that the proposed rates on fruits and vegetables, in carloads, between points in California and points in Oregon, Washington, Idaho, Utah, and Montana had not been justified, and the order requiring cancellation of the suspended schedules, affirmed on oral argument. Proceeding discontinued.

Fluxing Limestone, 129 I. C. C. 574.

1309. Proposed cancellation of interstate commodity rates on fluxing limestone, in box cars, found not justified. Suspended schedules ordered canceled and proceeding discontinued without prejudice to the filing of new schedules in conformity with the conclusions herein.

Hunt Bros. Fruit Co. v. A. & W. Ry. Co., 129 I. C. C. 579.

1310. Rates on apples, in carloads, from St. Joseph, Mo., and related points in Missouri and Kansas, to destinations in Nebraska, Iowa, Minnesota, North Dakota, and South Dakota found unreasonable, and unduly prejudicial to St. Joseph and related points, and unduly preferential of St. Louis and Hannibal, Mo., and Alton and Quincy, Ill. Maximum reasonable and nonprejudicial rates prescribed, pending outcome of the general investigation of class rates within western trunk-line territory.

McClintock-Trunkey Co. v. M. S. S. Co., 129 I. C. C. 591.

1311. Rates on sugar, in carloads, from Portland, Oreg., to Spokane, Wash., and from Portland, Seattle, and Tacoma, Wash., San Francisco and Crockett, Calif., to Missoula, Mont., found unreasonable, and unduly prejudicial to Missoula and unduly preferential of Spokane.

1312. Rates on canned goods, in carloads, from San Francisco and group and from Portland, Seattle, and Tacoma to Missoula found unduly prejudicial to Missoula and unduly preferential of Spokane.

1313. Rates on sugar, in carloads, from San Francisco, Crockett, and Potrero, Calif., to Spokane, and on canned goods, in carloads, from San Francisco and group and from Portland, Seattle, and Tacoma to Missoula found not unreasonable. Reparation awarded.

New England Brick Co. v. B. & M. R. R., 129 I. C. C. 607.

1314. Defendant required to extend its switching limits at Boston, as defined in *Boston Wool Trade Asso. v. Director General*, 69 I. C. C. 282, to include industries at Glenwood station, Medford, Mass.

Peaslee-Gaulbert Co. v. S. Ry. Co., 129 I. C. C. 611.

1315. Carload rate on varnish from Louisville, Ky., to Port Arthur, Tex., found not unreasonable. Complaint dismissed.

Woodward Auto Co. v. C., M. & St. P. Ry. Co., 129 I. C. C. 613.

1316. Rate charged on passenger automobiles, in carloads, from Janesville, Wis., to Mason City, Iowa, found applicable, and not unreasonable or unduly prejudicial. Complaint dismissed.

Sofranscy Co. v. R. Co., 129 I. C. C. 617.

1317. Reconsignment charges on scrap iron, in carloads, from points in New York, New Jersey, and New Hampshire to Allentown, Pa., found inapplicable as to shipments partly unloaded at original destination and unreasonable as to shipments which moved to final destination with bulk unbroken. Reparation awarded.

Plymouth Quarries v. N. Y., N. H. & H. R. R. Co., 129 I. C. C. 621.

1318. Rates on rough quarried granite, in carloads, from East Weymouth, Mass., to interstate destinations on the New York, New Haven & Hartford Railroad found unreasonable and unduly prejudicial. Reasonable and non-prejudicial rates prescribed and reparation awarded.

Caldwell & Taylor v. C., R. I. & G. Ry. Co., 129 I. C. C. 626.

1319. Rate charged on a carload of imported benzol from Eagle Pass, Tex., to Ivorydale, Ohio, found unreasonable. Reparation awarded.

Eblin & Co. v. N., C. & St. L. Ry., 129 I. C. C. 629.

1320. Rate charged on shipments of cottonseed shavings, in carloads, from Jackson, Tenn., to Brooklyn, N. Y., and Jersey City, N. J., found not inapplicable. Complaint dismissed.

Southern Kansas Millers Club v. A., T. & S. F. Ry. Co., 129 I. C. C. 632.

1321. Defendant's refusal to absorb switching charges for delivery of non-competitive carloads of grain and grain products to industries on connecting lines at destination found not to be in violation of tariff provision. Complaint dismissed.

Missouri Southern R. R. Co., 114 I. C. C. 795.

1322. Final value for rate-making purposes of the property of the Missouri Southern Railroad Company, owned and used for common-carrier purposes, found to be \$813,640, as of June 30, 1914, and used but not owned, \$129.

Milltown Air Line Ry., 114 I. C. C. 812.

1323. Final value for rate-making purposes of the property of the Milltown Air Line Railway, owned and used for common-carrier purposes, found to be \$53,380, as of June 30, 1917.

Lake Superior & Ishpeming Ry. Co., 116 I. C. C. 1.

1324. Final value for rate-making purposes of the property of the Lake Superior and Ishpeming Railway Company, owned and used for common-carrier purposes, found to be \$4,831,350, and used but now owned \$1,222, as of June 30, 1916.

Louisville, New Albany & Corydon R. R. Co., 116 I. C. C. 27.

1325. Final value for rate-making purposes of the property of the Louisville, New Albany & Corydon Railroad Company, owned and used for common-carrier purposes, found to be \$121,635, as of June 30, 1917.

Grasse River R. R. Corp., 116 I. C. C. 40.

1326. Final value for rate-making purposes of the property of the Grasse River Railroad Corporation, owned and used for common-carrier purposes, found to be \$224,510, as of June 30, 1918, and of property used but not owned, \$2,304.

Rural Valley R. R., 116 I. C. C. 51.

1327. Final value for rate-making purposes of the property of the Rural Valley Railroad, owned and used for common-carrier purposes, found to be \$5,000, as of June 30, 1917, and of property used but not owned \$315,000.

Cassville & Western R. R. Co., 116 I. C. C. 63.

1328. Final value for rate-making purposes of the property of the Cassville and Western Railroad Company, used for common-carrier purposes but not owned, found to be \$38,200, as of June 30, 1918.

Bartlett Western Ry., 116 I. C. C. 71.

1329. Final value for rate-making purposes of the property of the Bartlett Western Railway, owned and used for common-carrier purposes, found to be \$240,000, as of June 30, 1918, and of property used but not owned, \$4,400.

Louisville & Jeffersonville Bridge Co., 116 I. C. C. 82.

1330. Final value for rate-making purposes of the property of the Louisville & Jeffersonville Bridge Company, owned and used for common-carrier purposes, found to be \$2,977,210, as of June 30, 1915.

Central Union Depot & Ry. Co. of Cincinnati, 116 I. C. C. 98.

1331. Final value for rate-making purposes of the property of the Central Union Depot and Railway Company of Cincinnati, owned and used for common-carrier purposes, found to be \$670,808, as of June 30, 1915, owned but not used \$300,000, and used but not owned, \$424,870.

Birmingham, Selma & Mobile R. R. Co., 116 I. C. C. 110.

1332. Final value for rate-making purposes of the property of the Birmingham, Selma & Mobile Railroad Company, owned and used for common-carrier purposes, found to be \$60,020, as of June 30, 1918, and of property used but not owned, \$10,413.

Beaver Dam R. R. Co., 116 I. C. C. 125.

1333. Final value for rate-making purposes of the property of the Beaver Dam Railroad Company, owned and used for common-carrier purposes, found to be \$1,240, as of June 30, 1916, and of property used but not owned, \$40,390.

Wyandotte Southern R. R. Co., 116 I. C. C. 137.

1334. Final value for rate-making purposes of the property of the Wyandotte Southern Railroad Company, owned and used for common-carrier purposes, found to be \$100,953, as of June 30, 1918, and of property used but not owned, \$20,000.

Birmingham, Columbus & St. Andrews R. R. Co., 116 I. C. C. 151.

1335. Final value for rate-making purposes of the property of the Birmingham, Columbus & St. Andrews Railroad Company, owned and used for common-carrier purposes, found to be \$229,109, as of June 30, 1917.

Litchfield & Madison Ry. Co., 116 I. C. C. 163.

1336. Final value for rate-making purposes of the property of the Litchfield & Madison Railway Company, owned and used for common-carrier purposes, found to be \$1,518,175, as of June 30, 1916.

Central W. Va. & Southern R. R. Co., 116 I. C. C. 181.

1337. Final value for rate-making purposes of the property of the Central West Virginia and Southern Railroad Company, owned and used for common-carrier purposes, found to be \$535,450, as of June 30, 1918, and of property used but not owned, \$135,000.

Ludington & Northern Ry., 116 I. C. C. 199.

1338. Final value for rate-making purposes of the property of the Ludington & Northern Railway, owned and used for common-carrier purposes, found to be \$65,790, as of June 30, 1919, and of property used but not owned, \$12,000.

Campbell's Creek R. R. Co., 116 I. C. C. 216.

1339. Final value for rate-making purposes of the property of the Campbell's Creek Railroad Company, owned and used for common-carrier purposes, found to be \$330,215, as of June 30, 1918, and of property used but not owned, \$2,810.

Bay Terminal R. R. Co., 116 I. C. C. 229.

1340. Final value for rate-making purposes of the property of the Bay Terminal Railroad Company, owned and used for common-carrier purposes, found to be \$225,544, as of June 30, 1917, and of property used but not owned, \$149,580.

Clinton & Oklahoma Western Ry. Co., 116 I. C. C. 247.

1341. Final value for rate-making purposes of the property of the Clinton and Oklahoma Western Railway Company, owned and used for common-carrier purposes, found to be \$807,420, as of June 30, 1918, and of property used but not owned, \$90,000.

Dansville & Mount Morris R. R., 116 I. C. C. 274.

1342. Final value for rate-making purposes of the property of Dansville and Mount Morris Railroad, owned and used for common-carrier purposes, found to be \$169,500 as of June 30, 1918, and of property used but not owned, \$23,100.

Savannah Union Station Co., 116 I. C. C. 295.

1343. Final value for rate-making purposes of the property of the Savannah Union Station Company, owned and used for common-carrier purposes, found to be \$818,000, as of June 30, 1917.

Atlantic & Western R. R. Co., 116 I. C. C. 314.

1344. Final value for rate-making purposes of the property of the Atlantic and Western Railroad Company, owned and used for common-carrier purposes, found to be \$241,720, as of June 30, 1917.

Colorado, Wyoming & Eastern Ry. Co., 116 I. C. C. 329.

1345. Final value for rate-making purposes of the property of The Colorado, Wyoming and Eastern Railway Company, owned and used for common-carrier purposes, found to be \$1,882,785, as of June 30, 1919.

Port Townsend & Puget Sound Ry. Co., 116 I. C. C. 361.

1346. Final value for rate-making purposes of the property of the Port Townsend and Puget Sound Railway Company, owned and used for common-carrier purposes, found to be \$3,790, as of June 30, 1917, and of property used but not owned, \$777,875.

Rock Island-Frisco Terminal Ry. Co., 116 I. C. C. 391.

1347. Final value for rate-making purposes of the property of the Rock Island-Frisco Terminal Railway Company, owned and used, found to be \$2,140,250 as of June 30, 1915, of the property used but not owned, \$125,456, and of the property owned but not used, leased to the St. Louis Merchants Bridge and Terminal Company, \$29,207.

Cumberland & Manchester R. R. Co., 116 I. C. C. 407.

1348. Final value for rate-making purposes of the property of the Cumberland and Manchester Railroad Company, owned and used for common-carrier purposes, found to be \$504,199, as of June 30, 1918.

Lawndale Ry. & Industrial Co., 116 I. C. C. 424.

1349. Final value for rate-making purposes of the property of the Lawndale Railway and Industrial Company, owned and used for common-carrier purposes, found to be \$81,575, as of June 30, 1918.

Galesburg, Rockford & Northern R. R. Co., 116 I. C. C. 437.

1350. Final value for rate-making purposes of the property of the Galesburg, Rockford & Northern Railroad Company, owned and used for common-carrier purposes, found to be \$95,000, as of June 30, 1919, and of property used but not owned, \$2,350.

Emmitsburg R. R. Co., 116 I. C. C. 447.

1351. Final value for rate-making purposes of the property of the Emmitsburg Railroad Company, owned and used for common-carrier purposes, found to be \$148,500, as of June 30, 1918.

Fredericksburg & Northern Ry. Co., 116 I. C. C. 458.

1352. Final value for rate-making purposes of the property of the Fredericksburg & Northern Railway Company, owned and used for common-carrier purposes, found to be \$357,815, as of June 30, 1919.

Youngstown & Northern R. R. Co., 116 I. C. C. 475.

1353. Final value for rate-making purposes of the property of the Youngstown and Northern Railroad Company, owned and used for common-carrier purposes, found to be \$550,000, as of June 30, 1919.

Washington Western Ry. Co., 116 I. C. C. 491.

1354. Final value for rate-making purposes of the property of the Washington Western Railway Company, owned and used for common-carrier purposes, found to be \$164,410, as of June 30, 1917.

Loranger, Louisiana & Northeastern R. R. Co., 116 I. C. C. 499.

1355. Final value for rate-making purposes of the property of the Loranger, Louisiana & Northeastern Railroad Company, owned and used for common-carrier purposes, found to be \$66,427, as of June 30, 1918, and of property used but not owned, \$8,974.

Leavenworth & Topeka Ry. Co., 116 I. C. C. 512.

1356. Final value for rate-making purposes of the property of the Leavenworth and Topeka Railway Company, owned and used for common-carrier purposes, found to be \$900,000, as of June 30, 1916, and of property owned but not used, \$401.

Fulton Chain Ry. Co., 116 I. C. C. 530.

1357. Final value for rate-making purposes of the property of the Fulton Chain Railway Company, owned and used for common-carrier purposes, found to be \$56,000, as of June 30, 1917.

Arcata & Mad River R. R. Co., 116 I. C. C. 542.

1358. Final value for rate-making purposes of the property of the Arcata and Mad River Railroad Company, owned and used for common-carrier purposes, found to be \$421,200, as of June 30, 1917.

Santa Fe Dock & Channel Co., 116 I. C. C. 553.

1359. Final value for rate-making purposes of the property of the Santa Fe Dock and Channel Company, owned and used for common-carrier purposes, found to be \$775,000, as of June 30, 1916, and of property owned but not used, \$404.

Lowville & Beaver River R. R. Co., 116 I. C. C. 563.

1360. Final value for rate-making purposes of the property of The Lowville and Beaver River Railroad Company, owned and used for common-carrier purposes, found to be \$279,225, as of June 30, 1918, and of property used but not owned, \$8,000.

Marion Ry. Corp., 116 I. C. C. 576.

1361. Final value for rate-making purposes of the property of the Marion Railway Corporation, owned and used for common-carrier purposes, found to be \$146,521, as of June 30, 1918, and of property used but not owned, \$502.

Mackinac Transportation Co., 116 I. C. C. 589.

1362. Final value for rate-making purposes of the property of The Mackinac Transportation Company, owned and used for common-carrier purposes, found to be \$629,163, as of June 30, 1918.

Alabama & North Western R. R. Co., 116 I. C. C. 602.

1363. Final value for rate-making purposes of the property of the Alabama & North Western Railroad Company, owned and used for common-carrier purposes, found to be \$165,000, as of June 30, 1919.

Delaware & Hudson Co., 116 I. C. C. 611.

1364. Protests of The Delaware and Hudson Company; Greenwich & Johnsonville Railway Company; The Cooperstown and Charlotte Valley Rail-Road Company; The Cooperstown & Susquehanna Valley Rail Road; and The Wilkes-Barre Connecting Railroad Company against the tentative valuations of their properties considered are discussed.

1365. Final value for rate-making purposes as of June 30, 1916, of the property used by Delaware & Hudson Company for common-carrier purposes, found to be as follows: Owned and used \$57,195,100, used but not owned \$38,639,879, and owned but not used \$37,312.

1366. Final value for rate-making purposes as of June 30, 1916, of property owned and used by the Greenwich & Johnsonville Railway Company for common-carrier purposes, found to be \$901,912.

1367. Final value for rate-making purposes as of June 30, 1916, of property used by The Cooperstown and Charlotte Valley Rail-Road Company and its

leased property, for common-carrier purposes, found to be as follows: Owned and used \$26,000, and used but not owned \$515,427.

1368. Final value for rate-making purposes as of June 30, 1916, of property owned and used by the Wilkes-Barre Connecting Railroad Company for common-carrier purposes found to be \$1,468,089.

Crosbyton-Southplains R. R. Co., 116 I. C. C. 831.

1369. Final value for rate-making purposes of the property of the Crosbyton-Southplains Railroad Company, owned and used for common-carrier purposes, found to be \$428,195, as of June 30, 1916.

Kansas Southwestern Ry. Co., 116 I. C. C. 847.

1370. Final value for rate-making purposes of the property of The Kansas Southwestern Railway Company, owned and used for common-carrier purposes, found to be \$739,295, as of June 30, 1916, and of property used but not owned, \$81.

North Louisiana & Gulf R. R. Co., 116 I. C. C. 864.

1371. Final value for rate-making purposes of the property of the North Louisiana & Gulf Railroad Company, owned and used for common-carrier purposes, found to be \$165,000, as of June 30, 1918, and of property used but not owned, \$21,733.

Pencoyd & Philadelphia R. R. Co., 119 I. C. C. 1.

1372. Final value for rate-making purposes of the property of the Pencoyd & Philadelphia Railroad Company, owned and used for common-carrier purposes, found to be \$105,000, as of June 30, 1917, and of property used but not owned, \$18,000.

River Terminal Ry. Co., 116 I. C. C. 12.

1373. Final value for rate-making purposes of the property of The River Terminal Railway Company, owned and used for common-carrier purposes, found to be \$877,175, as of June 30, 1917, and of property used but not owned, \$15,397.

Warrenton R. R. Co., 119 I. C. C. 25.

1374. Final value for rate-making purposes of the property of the Warrenton Rail Road Company, owned and used for common-carrier purposes, found to be \$48,080, as of June 30, 1918.

Beaumont Wharf & Terminal Co., 119 I. C. C. 36.

1375. Final value for rate-making purposes of the property of the Beaumont Wharf and Terminal Company, owned and used for common-carrier purposes, found to be \$145,000, as of June 30, 1916.

Union Passenger Depot Co. of Galveston, 119 I. C. C. 52.

1376. Final value for rate-making purposes of the property of The Union Passenger Depot Company of Galveston, owned and used for common-carrier purposes, found to be \$1,061,250, as of June 30, 1916.

Warren, Johnsville & Saline River R. R. Co., 119 I. C. C. 68.

1377. Final value for rate-making purposes of the property of the Warren, Johnsville & Saline River Railroad Company, owned and used for common-carrier purposes, found to be \$159,450, as of June 30, 1918.

Bamberg, Ehrhardt & Walterboro Ry., 119 I. C. C. 83.

1378. Final value for rate-making purposes of the property of the Bamberg, Ehrhardt and Walterboro Railway, owned and used for common-carrier purposes, found to be \$84,420, as of June 30, 1918, and of property used but not owned, \$27,615.

Fort Smith, Subiaco & Rock Island R. R. Co., 119 I. C. C. 94.

1379. Final value for rate-making purposes of the property of the Fort Smith, Subiaco & Rock Island Railroad Company, owned and used for common-carrier purposes, found to be \$130,442, as of June 30, 1919.

Tennessee, Kentucky & Northern R. R. Co., 119 I. C. C. 112.

1380. Final value for rate-making purposes of the property of the Tennessee, Kentucky & Northern Railroad Company, owned and used for common-carrier purposes, found to be \$825, as of June 30, 1918, and of property used but not owned, \$195,000.

Rapid City, Black Hills & Western R. R. Co., 119 I. C. C. 138.

1381. Final value for rate-making purposes of the property of the Rapid City, Black Hills & Western Railroad Company, owned and used for common-carrier purposes, found to be \$900,865, as of June 30, 1917, and of property owned but not used, \$5,687.

Virginia & Truckee Ry., 119 I. C. C. 157.

1382. Final value for rate-making purposes of the property of the Virginia & Truckee Railway, owned and used for common-carrier purposes, found to be \$2,197,600, as of June 30, 1917.

Rio Grande, El Paso & Santa Fe R. R. Co., 119 I. C. C. 181.

1383. Final value for rate-making purposes of the property of the Rio Grande, El Paso and Santa Fe Railroad Company, owned and used for common-carrier purposes, found to be \$1,685,000, as of June 30, 1916.

Chicago & Illinois Midland Ry. Co., 119 I. C. C. 202.

1384. Final value for rate-making purposes of the property of the Chicago and Illinois Midland Railway Company, owned and used for common-carrier purposes, found to be \$2,012,500, as of June 30, 1916.

Sheffield & Tionesta Ry. Co., 119 I. C. C. 232.

1385. Final value for rate-making purposes of the property of the Sheffield and Tionesta Railway Company, owned and used for common-carrier purposes, found to be \$442,975, as of June 30, 1917.

Salina Northern R. R. Co., 119 I. C. C. 247.

1386. Final value for rate-making purposes of the property of The Salina Northern Railroad Company, owned and used for common-carrier purposes, found to be \$1,311,630, as of June 30, 1919, and of property used but not owned, \$848.

New Orleans & Lower Coast R. R. Co., 119 I. C. C. 265.

1387. Final value for rate-making purposes of the property of the New Orleans and Lower Coast Railroad Company, owned and used for common-carrier purposes, found to be \$622,170 as of June 30, 1918.

Atlanta & Saint Andrews Bay Ry. Co., 119 I. C. C. 286.

1388. Final value for rate-making purposes of the property of the Atlanta & Saint Andrews Bay Railway Company, owned and used for common-carrier purposes, found to be \$1,026,150, as of June 30, 1917, and of property used but not owned, \$33,500.

Midland Continental R. R., 119 I. C. C. 313.

1389. Final value for rate-making purposes of the property of the Midland Continental Railroad, owned and used for common-carrier purposes, found to be \$1,110,050, as of June 30, 1917, and of property used but not owned, \$156.

Potato Creek R. R. Co., 119 I. C. C. 329.

1390. Final value for rate-making purposes of the property of the Potato Creek Railroad Company, owned and used for common-carrier purposes, found to be \$577,715, as of June 30, 1917, and of property used but not owned, \$136.

Brooksville R. R. Co., 119 I. C. C. 343.

1391. Final value for rate-making purposes of the property of the Brooksville Railroad Company, owned and used for common-carrier purposes, found to be \$85,000, as of June 30, 1918, and of property used but not owned, \$4,700.

Tuscarora Valley R. R. Co., 119 I. C. C. 351.

1392. Final value for rate-making purposes of the property of the Tuscarora Valley Railroad Company, owned and used for common-carrier purposes, found to be \$192,310, as of June 30, 1917.

Morehead & North Fork R. R. Co., 119 I. C. C. 363.

1393. Final value for rate-making purposes of the property of the Morehead and North Fork Railroad Company, owned and used for common-carrier purposes, found to be \$638,031 as of June 30, 1918.

Susquehanna River & Western R. R. Co., 119 I. C. C. 377.

1394. Final value for rate-making purposes of the property of the Susquehanna River and Western Railroad Company, owned and used for common-carrier purposes, found to be \$190,832, as of June 30, 1917.

Rahway Valley Co., 119 I. C. C. 389.

1395. Final value for rate-making purposes of the property of the Rahway Valley Company, owned and used for common-carrier purposes, found to be \$5,495, as of June 30, 1917, and of property used but not owned, \$268,761.

La Crosse & Southeastern Ry. Co., 119 I. C. C. 412.

1396. Final value for rate-making purposes of the property of the La Crosse & Southeastern Railway Company, owned and used for common-carrier purposes, as of June 30, 1917, found to be \$643,000.

Bullfrog Goldfield R. R. Co., 119 I. C. C. 429.

1397. Final value for rate-making purposes of the property of the Bullfrog Goldfield Railroad Company, owned and used for common-carrier purposes, found to be \$1,463,276, as of June 30, 1915.

Gulf Ports Terminal Ry. Co., 119 I. C. C. 449.

1398. Final value for rate-making purposes of the property of the Gulf Ports Terminal Railway Company, owned and used for common-carrier purposes, found to be \$460,000, as of June 30, 1917.

Tennessee R. R. Co., 119 I. C. C. 465.

1399. Final value for rate-making purposes of the property of the Tennessee Railroad Company, owned and used for common-carrier purposes, found to be \$1,006,865, as of June 30, 1918.

Denver & Salt Lake R. R. Co., 119 I. C. C. 483.

1400. Final value for rate-making purposes of the property of The Denver and Salt Lake Railroad Company, owned and used for common-carrier purposes, found to be \$15,035,500, as of June 30, 1919, and of property used but not owned, \$800,575.

Joplin Union Depot Co., 119 I. C. C. 519.

1401. Final value for rate-making purposes of the property of the Joplin Union Depot Company, owned and used for common-carrier purposes, as of June 30, 1914, found to be \$560,000.

Red River & Gulf R. R., 119 I. C. C. 535.

1402. Final value for rate-making purposes of the property of the Red River and Gulf Railroad, owned and used for common-carrier purposes, found to be \$304,949, as of June 30, 1919, and of the property used but not owned, \$351.

East Tennessee & Western North Carolina R. R. Co., 119 I. C. C. 552.

1403. Protest of East Tennessee and Western North Carolina Railroad Company against the tentative valuation of its property considered and determined.

1404. Final value for rate-making purposes of the property of the East Tennessee and Western North Carolina Railroad Company owned and used for common-carrier purposes found to be \$1,613,600, as of June 30, 1916, of the property owned but not used, \$65,000, and of the property used but not owned, \$687.

Marianna & Blountstown R. R. Co., 119 I. C. C. 581.

1405. Final value for rate-making purposes of the property of The Marianna & Blountstown Railroad Company, owned and used for common-carrier purposes, found to be \$148,495, as of June 30, 1917, and of property used but not owned, \$62,945.

Tucson, Cornelia & Gila Bend R. R. Co., 119 I. C. C. 600.

1406. Final value for rate-making purposes of the property of the Tucson, Cornelia and Gila Bend Railroad Company, owned and used for common-carrier purposes, found to be \$764,700, as of June 30, 1917, and of property used but not owned, \$2,404.

Kane & Elk R. R. Co., 119 I. C. C. 614.

1407. Final value for rate-making purposes of the property of the Kane and Elk Railroad Company, owned and used for common-carrier purposes, found to be \$100,000, as of June 30, 1918, and of property used but not owned, \$1,961.

Lexington Terminal R. R. Co., 119 I. C. C. 627.

1408. Protest of The Lexington Terminal Railroad Company against the tentative valuation of its property considered and determined.

1409. Final value for rate-making purposes of the property of The Lexington Terminal Railroad Company owned and used for common-carrier purposes, as of June 30, 1916, found to be \$28,600.

Galveston Wharf Co., 119 I. C. C. 641.

1410. Final value for rate-making purposes of the property of the Galveston Wharf Company, owned and used for common-carrier purposes, found to be \$13,635,000, as of June 30, 1917.

Cliffside R. R. Co., 119 I. C. C. 670.

1411. Final value for rate-making purposes of the property of the Cliffside Railroad Company, owned and used for common-carrier purposes, found to be \$173,872, as of June 30, 1918, and of property used but not owned, \$9,117.

Stockton Terminal & Eastern R. R. Co., 119 I. C. C. 685.

1412. Final value for rate-making purposes of the property of the Stockton Terminal and Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$222,297, as of June 30, 1916.

Hawkinsville & Florida Southern Ry. Co., 119 I. C. C. 699.

1413. Final value for rate-making purposes of the property of the Hawkinsville & Florida Southern Railway Company, owned and used for common-carrier purposes, found to be \$1,083,545, as of June 30, 1915, and of property used but not owned, \$86.

Strasburg R. R. Co., 119 I. C. C. 723.

1414. Final value for rate-making purposes of the property of the Strasburg Railroad Company, owned and used for common-carrier purposes, found to be \$60,000, as of June 30, 1917.

Riverside, Rialto & Pacific R. R. Co., 119 I. C. C. 728.

1415. Final value for rate-making purposes of the property of the Riverside, Rialto & Pacific Railroad Company, owned and used for common-carrier purposes, found to be \$314,488, as of June 30, 1916, and of property owned but not used, \$20,991.

Duluth & Northeastern R. R. Co., 119 I. C. C. 750.

1416. Final value for rate-making purposes of the property of the Duluth & Northeastern Railroad Company, owned and used for common-carrier purposes, found to be \$1,006,292, as of June 30, 1919.

Sterling Mountain Ry. Co., 119 I. C. C. 766.

1417. Final value for rate-making purposes of the property of The Sterling Mountain Railway Company, owned and used for common-carrier purposes, found to be \$130,000, as of June 30, 1918.

Boyne City, Gaylord & Alpena R. R. Co., 119 I. C. C. 778.

1418. Final value for rate-making purposes of the property of the Boyne City, Gaylord & Alpena Railroad Company, owned and used for common-carrier purposes, found to be \$1,706,500, as of June 30, 1918, and of property used but not owned, \$10,232.

Morgan & Fentress Ry. Co., 119 I. C. C. 798.

1419. Final value for rate-making purposes of the property of the Morgan & Fentress Railway Company, owned and used for common-carrier purposes, found to be \$304,550, as of June 30, 1918.

Valley R. R. Co., 119 I. C. C. 818.

1420. Final value for rate-making purposes of the property of the Valley Railroad Company, owned and used for common-carrier purposes, found to be \$36,560, as of June 30, 1917, and of property used but not owned, \$90,000.

Kelly's Creek R. R. Co., 119 I. C. C. 831.

1421. Final value for rate-making purposes of the property of the Kelly's Creek Railroad Company, owned and used for common-carrier purposes, found to be \$6,281, as of June 30, 1919, and of property used but not owned \$110,000. to be \$6,281, as of June 30, 1919, and of property used but owned, \$110,000.

Charleston Terminal Co., 119 I. C. C. 843.

1422. Final value for rate-making purposes of the property of the Charleston Terminal Company, owned and used for common-carrier purposes, found to be \$1,457,000, as of June 30, 1918, and of property used but not owned, \$1,147.

Ursina & North Fork Ry. Co., 119 I. C. C. 864.

1423. Final value for rate-making purposes of the property of The Ursina & North Fork Railway Company, owned and used for common-carrier purposes, found to be \$102,143, as of June 30, 1918.

Delaware Valley Ry. Co., 121 I. C. C. 1

1424. Final value for rate-making purposes of the property of the Delaware Valley Railway Company, owned and used for common-carrier purposes, found to be \$190,000, as of June 30, 1919.

Pacific Coast R. R. Co., 121 I. C. C. 11.

1425. Final value for rate-making purposes of the property of the Pacific Coast Railroad Company, owned and used for common-carrier purposes, found to be \$5,029,165, as of June 30, 1916, and of property used but not owned, \$4,872.

Donora Southern R. R. Co., 121 I. C. C. 34.

1426. Final value for rate-making purposes of the property of the Donora Southern Railroad Company, owned and used for common-carrier purposes, found to be \$498,000, as of June 30, 1917.

Maryland & Delaware Telep. & Teleg. Co., 121 I. C. C. 51.

1427. Final value for rate-making purposes of the property of the Maryland and Delaware Telephone and Telegraph Company, owned and used for common-carrier purposes, found to be \$17,000, as of June 30, 1915.

Connecting Terminal R. R. Co., 121 I. C. C. 61.

1428. Final value for rate-making purposes of the property of The Connecting Terminal Rail Road Company, owned and used for common-carrier purposes, found to be \$1,125,000, as of June 30, 1917, and of property owned but not used, \$51,031.

Unadilla Valley Ry. Co., 121 I. C. C. 73.

1429. Final value for rate-making purposes of the property of the Unadilla Valley Railway Company, owned and used for common-carrier purposes, found to be \$316,000, as of June 30, 1918, and of property used but not owned, \$8.

Rockingham R. R. Co., 121 I. C. C. 88.

1430. Final value for rate-making purposes of the property of the Rockingham Railroad Company, owned and used for common-carrier purposes, found to be \$290,500 as of June 30, 1917.

Arcade & Attica R. R. Corp., 121 I. C. C. 101.

1431. Final value for rate-making purposes of the property of the Arcade and Attica Railroad Corporation, owned and used for common-carrier purposes, found to be \$519,946, as of June 30, 1919, and of property used but not owned, \$12,904.

White Sulphur Springs & Yellowstone Park Ry. Co., 121 I. C. C. 119.

1432. Final value for rate-making purposes of the property of the White Sulphur Springs & Yellowstone Park Railway Company, owned and used for common-carrier purposes, found to be \$215,715, as of June 30, 1918, and of property used but not owned \$87,000.

Prattsburg Ry. Corp., 121 I. C. C. 135.

1433. Final value for rate-making purposes of the property of the Prattsburg Railway Corporation, owned and used for common-carrier purposes, found to be \$535,295, as of June 30, 1918.

West Virginia Midland R. R. Co., 121 I. C. C. 147.

1434. Final value for rate-making purposes of the property of the West Virginia Midland Railroad Company, owned and used for common-carrier purposes, found to be \$535,295, as of June 30, 1918.

Natchez, Urania & Ruston Ry. Co., 121 I. C. C. 166.

1435. Final value for rate-making purposes of the property of the Natchez, Urania & Ruston Railway Company, owned and used for common-carrier purposes, found to be \$31,500, as of June 30, 1919.

Wabash, Chester & Western R. R. Co., 121 I. C. C. 173.

1436. Final value for rate-making purposes of the property of The Wabash, Chester and Western Railroad Company, owned and used for common-carrier purposes, found to be \$886,100, as of June 30, 1917, and of property owned but not used, \$1,823.

Atlanta Terminal Co., 121 I. C. C. 192.

1437. Final value for rate-making purposes of the property of the Atlanta Terminal Company, owned and used for common-carrier purposes, found to be \$2,926,315, as of June 30, 1918, and of property used but not owned, \$94,391.

Western Allegheny R. R. Co., 121 I. C. C. 205.

1438. Final value for rate-making purposes of the property of the Western Allegheny Railroad Company, owned and used for common-carrier purposes, found to be \$2,002,500, as of June 30, 1918, of property owned but not used \$9, and of property used but not owned \$108.

El Paso Southern Ry. Co., 121 I. C. C. 223.

1439. Final value for rate-making purposes of the property of the El Paso Southern Railway Company, owned and used for common-carrier purposes, found to be \$78,233, as of June 30, 1918.

Ontonagon R. R. Co., 121 I. C. C. 235.

1440. Final value for rate-making purposes of the property of the Ontonagon Railroad Company, owned and used for common-carrier purposes, found to be \$43,715, as of June 30, 1918.

Harrisville Southern R. R. Co., 121 I. C. C. 248.

1441. Final value for rate-making purposes of the property of the Harrisville Southern Railroad Company, owned and used for common-carrier purposes, found to be \$190,623, as of June 30, 1919.

Shearwood Ry. Co., 121 I. C. C. 259.

1442. Final value for rate-making purposes of the property of the Shearwood Railway Company, owned and used for common-carrier purposes, found to be \$241,045, as of June 30, 1918.

Buffalo Creek & Gauley R. R. Co., 121 I. C. C. 271.

1443. Final value for rate-making purposes of the property of The Buffalo Creek & Gauley Railroad Company, owned and used for common-carrier purposes, found to be \$910,697, as of June 30, 1918.

Rockcastle River Ry. Co., 121 I. C. C. 285.

1444. Final value for rate-making purposes of the property of the Rockcastle River Railway Company, owned and used for common-carrier purposes, found to be \$100,639, as of June 30, 1918, and of property used but not owned, \$37,798.

Waycross & Southern R. R. Co., 121 I. C. C. 298.

1445. Final value for rate-making purposes of the property of Waycross and Southern Railroad Company, owned and used for common-carrier purposes, found to be \$188,900, as of June 30, 1918, and of property used but not owned, \$26,207.

Washington & Vandemere R. R. Co., 121 I. C. C. 312.

1446. Final value for rate-making purposes of the property of the Washington & Vandemere Railroad Company, owned and used for common-carrier purposes, found to be \$694,216, as of June 30, 1917.

Union & Glenn Springs R. R., 121 I. C. C. 329.

1447. Final value for rate-making purposes of the property of Union & Glenn Springs Railroad, owned and used for common-carrier purposes, found to be \$429,500, as of June 30, 1918.

Augusta & Summerville R. R. Co., 121 I. C. C. 347.

1448. Final value for rate-making purposes of the property of the Augusta and Summerville Railroad Company, owned and used for common-carrier purposes, found to be \$110,121, as of June 30, 1916.

Williamsport & North Branch R. R. Co., 121 I. C. C. 369.

1449. Final value for rate-making purposes of the property of the Williamsport & North Branch Railroad Company, owned and used for common-carrier purposes, found to be \$1,001,600, as of June 30, 1917, and of property used but not owned, \$84,000.

Louisiana & Mississippi R. R. T. Co., 121 I. C. C. 397.

1450. Final value for rate-making purposes of the property of the Louisiana and Mississippi Railroad Transfer Company, owned and used for common-carrier purposes, found to be \$353,000, as of June 30, 1918.

Georgia, Florida & Alabama Ry. Co., 121 I. C. C. 419.

1451. Final value for rate-making purposes of the property of the Georgia, Florida & Alabama Railway Company, owned and used for common-carrier purposes, found to be \$2,783,000, as of June 30, 1917.

Escanaba & Lake Superior R. R. Co., 121 I. C. C. 454.

1452. Final value for rate-making purposes of the property of the Escanaba and Lake Superior Railroad Company, owned and used for common-carrier purposes, found to be \$1,767,725, as of June 30, 1918.

Bauxite & Northern Ry. Co., 121 I. C. C. 474.

1453. Final value for rate-making purposes of the property of the Bauxite & Northern Railway Company, owned and used for common-carrier purposes, found to be \$100,000, as of June 30, 1918, and of property used but not owned, \$11,300.

Wyandotte Terminal R. R. Co., 121 I. C. C. 495.

1454. Final value for rate-making purposes of the property of the Wyandotte Terminal Railroad Company, owned and used for common-carrier purposes, found to be \$25,500, as of June 30, 1918, and of the property used but not owned, \$31,500.

Washington & Lincolnton R. R. Co., 121 I. C. C. 507.

1455. Final value for rate-making purposes of the property of the Washington and Lincolnton Railroad Company, owned and used for common-carrier purposes, found to be \$194,000, as of June 30, 1918.

Charleston Union Station Co., 121 I. C. C. 521.

1456. Final value for rate-making purposes of the property of the Charleston Union Station Company, owned and used for common-carrier purposes, found to be \$274,226, as of June 30, 1917.

Aliquippa & Southern R. R. Co., 121 I. C. C. 536.

1457. Final value for rate-making purposes of the property of the Aliquippa and Southern Railroad Company, owned and used for common-carrier purposes, found to be \$1,243,407, as of June 30, 1916, and of property used but not owned, \$172,000.

Detroit & Mackinac Ry. Co., 121 I. C. C. 536.

1458. Final value for rate-making purposes of the property of the Detroit & Mackinac Railway Company, owned and used for common-carrier purposes, found to be \$6,559,700, as of June 30, 1917, of property owned but not used, \$33,800, and of property used but not owned, \$3,200.

Ohio River & Western Ry. Co., 121 I. C. C. 585.

1459. Final value for rate-making purposes of the property of The Ohio River and Western Railway Company, owned and used for common-carrier purposes, found to be \$1,924,400 as of June 30, 1917, and of property used but not owned, \$15.

Waynesburg & Washington R. R. Co., 121 I. C. C. 603.

1460. Final value for rate-making purposes of the property of the Waynesburg and Washington Railroad Company, owned and used for common-carrier purposes, found to be \$686,630, as of June 30, 1917.

Pearl River Valley R. R. Co., 121 I. C. C. 619.

1461. Final value for rate-making purposes of the property of the Pearl River Valley Railroad Company, owned and used for common-carrier purposes, found to be \$158,000, as of June 30, 1919.

Silverton Northern R. R. Co., 121 I. C. C. 635.

1462. Final value for rate-making purposes of the property of The Silverton Northern Railroad Company, owned and used for common-carrier purposes, found to be \$222,645, as of June 30, 1919.

Nevada Central R. R. Co., 121 I. C. C. 656.

1463. Final value for rate-making purposes of the property of The Nevada Central Railroad Company, owned and used for common-carrier purposes, found to be \$547,916, as of June 30, 1917.

Dexter & Northern R. R. Co., 121 I. C. C. 675.

1464. Final value for rate-making purposes of the property of the Dexter and Northern Railroad Company, owned and used for common-carrier purposes, found to be \$34,459, as of June 30, 1919, and of property used but not owned, \$2,417.

Bridgton Telegraph Co., 121 I. C. C. 687.

1465. Final value for rate-making purposes of the property of the Bridgton Telegraph Company, owned and used for common-carrier purposes, found to be \$835, as of June 30, 1916.

North Charleston Terminal Co., 121 I. C. C. 694.

1466. Final value for rate-making purposes of the property of the North Charleston Terminal Company, owned and used for common-carrier purposes, found to be \$112,500, as of June 30, 1919.

Macon Terminal Co., 121 I. C. C. 705.

1467. Final value for rate-making purposes of the property of the Macon Terminal Company, owned and used for common-carrier purposes, found to be \$1,332,086, as of June 30, 1917.

Charleston & Western Carolina Ry. Co., 121 I. C. C. 721.

1468. Final value for rate-making purposes of the property of the Charleston & Western Carolina Railway Company, owned and used for common-carrier purposes, found to be \$9,991,825, as of June 30, 1915, and of property used but not owned, \$106,931.

Gulf & Sabine River R. R. Co., 121 I. C. C. 775.

1469. Final value for rate-making purposes of the property of The Gulf & Sabine River Railroad Company, owned and used for common-carrier purposes, found to be \$243,000 as of June 30, 1919.

Port St. Joe Dock & Terminal Ry. Co., 121 I. C. C. 791.

1470. Final value for rate-making purposes of the property of the Port St. Joe Dock and Terminal Railway Company, owned and used for common-carrier purposes, found to be \$65,500, as of June 30, 1917.

Tonopah & Tidewater R. R. Co., 121 I. C. C. 809.

1471. Final value for rate-making purposes of the property of the Tonopah and Tidewater Railroad Company, owned and used for common-carrier purposes, found to be \$2,709,998, as of June 30, 1915, and of property used but not owned, \$130.

Leavenworth Terminal Ry. & Bridge Co., 121 I. C. C. 830.

1472. Final value for rate-making purposes of the property of The Leavenworth Terminal Railway and Bridge Company, owned and used for common-carrier purposes, found to be \$374,000, as of June 30, 1916.

Pittsburgh, Lisbon & Western R. R. Co., 121 I. C. C. 857.

1473. Final value for rate-making purposes of the property of The Pittsburgh, Lisbon & Western Railroad Company, owned and used for common-carrier purposes,

poses, found to be \$661,450, as of June 30, 1918, and of property owned but not used, \$3,382.

Manitou & Pike's Peak Ry. Co., 125 I. C. C. 1.

1474. Final value for rate-making purposes of the property of The Manitou and Pike's Peak Railway Company, owned and used for common-carrier purposes, found to be \$368,741, as of June 30, 1918.

Augusta Northern Ry., 125 I. C. C. 14.

1475. Final value for rate-making purposes of the property of the Augusta Northern Railway, owned and used for common-carrier purposes, found to be \$140,576, as of June 30, 1916.

Mountain Telegraph Co., 125 I. C. C. 26.

1476. Final value for rate-making purposes of the property of The Mountain Telegraph Company, owned and used for common-carrier purposes, found to be \$9,250, as of June 30, 1918.

Blytheville, Leachville & Arkansas Southern R. R. Co., 125 I. C. C. 36.

1477. Final value for rate-making purposes of the property of the Blytheville, Leachville & Arkansas Southern Railroad Company owned and used for common-carrier purposes, found to be \$357,215 as of June 30, 1917, and used but not owned, \$67,000.

Copper Range R. R. Co., 125 I. C. C. 56.

1478. Final value for rate-making purposes of the property of the Copper Range Railroad Company, owned and used for common-carrier purposes, found to be \$4,665,180, as of June 30, 1916, and of the property used but not owned, \$9,820.

Grafton & Upton R. R. Co., 125 I. C. C. 78.

1479. Final value for rate-making purposes of the property of the Grafton and Upton Railroad Company, owned and used for common-carrier purposes, found to be \$521,500, as of June 30, 1916, and of property used but not owned, \$8.

Colorado & Wyoming Telegraph Co., 125 I. C. C. 95.

1480. Final value for rate-making purposes of the property of The Colorado and Wyoming Telegraph Company, owned and used for common-carrier purposes, found to be \$40,157, as of June 30, 1918.

Chicago Short Line Ry. Co., 125 I. C. C. 106.

1481. Final value for rate-making purposes of the property of the Chicago Short Line Railway Company, owned and used for common-carrier purposes, found to be \$468,000, as of June 30, 1919, and of property used but not owned, \$150,764.

McKeesport Connecting R. R. Co., 125 I. C. C. 125.

1482. Final value for rate-making purposes of the property of the McKeesport Connecting Railroad Company, owned and used for common-carrier purposes, found to be \$1,143,000, as of June 30, 1917.

Middletown & Unionville R. R. Co., 125 I. C. C. 143.

1483. Final value for rate-making purposes of the property of the Middletown & Unionville Railroad Company, owned and used for common-carrier purposes, as of June 30, 1916, found to be \$322,847, and of property used but not owned, \$102,000.

Vermont International Telegraph Co., 125 I. C. C. 164.

1484. Final value for rate-making purposes of the property of the Vermont International Telegraph Company, owned and used for common-carrier purposes, found to be \$11,750, as of June 30, 1916.

Washington Run R. R. Co., 125 I. C. C. 171.

1485. Final value for rate-making purposes of the property of the Washington Run Railroad Company, owned and used for common-carrier purposes, found to be \$271,000, as of June 30, 1918.

Wilmington, Brunswick & Southern R. R. Co., 125 I. C. C. 183.

1486. Final value for rate-making purposes of the property of the Wilmington, Brunswick & Southern Railroad Company, owned and used for common-carrier purposes, found to be \$287,500, as of June 30, 1917.

Tuskegee R. R. Co., 125 I. C. C. 195.

1487. Final value for rate-making purposes of the property of The Tuskegee Railroad Company, owned and used for common-carrier purposes, found to be \$100,000, as of June 30, 1918, and of property used but not owned, \$640.

Live Oak, Perry & Gulf R. R. Co., 125 I. C. C. 213.

1488. Final value for rate-making purposes of the property of the Live Oak, Perry & Gulf Railroad Company, owned and used for common-carrier purposes, found to be \$699,400, as of June 30, 1917, and of property used but not owned, \$7,115.

Lorain & Southern R. R. Co., 125 I. C. C. 234.

1489. Final value for rate-making purposes of the property of The Lorain & Southern Railroad Company, owned and used for common-carrier purposes, found to be \$65,833, as of June 30, 1917, and of property used but not owned, \$402.

Colorado & Southeastern R. R. Co., 125 I. C. C. 251.

1490. Final value for rate-making purposes of the property of The Colorado and Southeastern Railroad Company, owned and used for common-carrier purposes, found to be \$272,950, as of June 30, 1918, and of property owned but not used, \$11,000.

Champlain Transportation Co., 125 I. C. C. 272.

1491. Final value for rate-making purposes of the property of The Champlain Transportation Company, owned and used for common-carrier purposes, found to be \$625,000, as of June 30, 1916, and of the property used but not owned, \$10,500.

Hill City Ry. Co., 125 I. C. C. 293.

1492. Final value for rate-making purposes of the property of the Hill City Railway Company, owned and used for common-carrier purposes, found to be \$301,104, as of June 30, 1916.

Johnstown & Stony Creek R. R. Co., 125 I. C. C. 306.

1493. Final value for rate-making purposes of the property of the Johnstown and Stony Creek Rail Road Company, owned and used for common-carrier purposes, found to \$199,554 as of June 30, 1918, and of property used but not owned, \$18,500.

Mount Hope Mineral R. R. Co., 125 I. C. C. 321.

1494. Final value for rate-making purposes of the property of the Mount Hope Mineral Railroad Company, owned and used for common-carrier purposes, found to \$108,300, as of June 30, 1918.

Lake Tahoe Ry. & Trans. Co., 125 I. C. C. 337.

1495. Final value for rate-making purposes of the property of the Lake Tahoe Railway & Transportation Company, owned and used for common-carrier purposes, found to be \$365,453 as of June 30, 1917, and of property used but not owned, \$12,947.

Atlantic City & Shore R. R. Co., 125 I. C. C. 353.

1496. Final value for rate-making purposes of the property of the Atlantic City & Shore Railroad Company, owned and used for common-carrier purposes, found to be \$386,181, as of June 30, 1916, and of property used but not owned, \$964,000.

1497. Final value for rate-making purposes of the property of the Atlantic City & Ocean City Railroad Company, owned but not used, leased to the Atlantic City & Shore Railroad Company, found to be \$221,000, as of June 30, 1916.

Reynoldsville & Falls Creek R. R. Co., 125 I. C. C. 388.

1498. Final value for rate-making purposes of the property of Reynoldsville and Falls Creek Railroad Company, owned and used for common-carrier purposes, found to be \$431,311, as of June 30, 1917, and of property used but not owned, \$1,510.

Northern Telegraph Co., 125 I. C. C. 413.

1499. Final value for rate-making purposes of the property of the Northern Telegraph Company, owned and used for common-carrier purposes, found to be \$152,238, as of June 30, 1916.

Missouri & Illinois Bridge & Belt R. R. Co., 125 I. C. C. 424.

1500. Final value for rate-making purposes of the property of the Missouri and Illinois Bridge and Belt Railroad Company, owned and used for common-carrier purposes, found to be \$919,500, as of June 30, 1919.

Pueblo Union Depot & R. R. Co., 125 I. C. C. 469.

1501. Final value for rate-making purposes of the property of the Pueblo Union Depot and Railroad Company, owned and used for common-carrier purposes, found to be \$425,600, as of June 30, 1916.

Saratoga & Encampment Ry. Co., 125 I. C. C. 485.

1502. Final value for rate-making purposes of the property of the Saratoga and Encampment Railway Company, owned and used for common-carrier purposes, found to be \$631,173, as of June 30, 1919.

Denver Union Terminal Ry. Co., 125 I. C. C. 498.

1503. Final value for rate-making purposes of the property of the Denver Union Terminal Railway Company, owned and used for common-carrier purposes, found to be \$3,861,000, as of June 30, 1917.

Big Sandy & Kentucky River Ry. Co., 125 I. C. C. 517.

1504. Final value for rate-making purposes of the property of the Big Sandy & Kentucky River Railway Company, owned and used for common-carrier purposes, found to be \$95,000 as of June 30, 1918, and of property used but not owned, \$28,302.

Benwood & Wheeling Connecting Ry. Co., 125 I. C. C. 531.

1505. Final value for rate-making purposes of the property of the Benwood and Wheeling Connecting Railway Company, owned and used for common-carrier purposes, found to be \$305,000, as of June 30, 1918, and of property used but not owned, \$12,625.

Georgia R. R., 125 I. C. C. 551.

1506. Final value for rate-making purposes of the property of the Georgia Railroad (Lessee Organization), owned and used for common-carrier purposes, found to be \$1,150,741 as of June 30, 1916, and of the property used but not owned, \$16,031,040.

1507. Final value for rate-making purposes of the property of the Georgia Rail Road & Banking Company, owned but not used, devoted to common-carrier purposes, leased to the Georgia Railroad (Lessee Organization) and other carriers, as of June 30, 1916, found to be \$16,477,671.

Owasco River Ry., 125 I. C. C. 607.

1508. Final value for rate-making purposes of the property of the Owasco River Railway, owned and used for common-carrier purposes, found to be \$133,287, as of June 30, 1917, and of property used but not owned, \$47,000.

Wichita Union Terminal Ry. Co., 125 I. C. C. 619.

1509. Final value for rate-making purposes of the property of the Wichita Union Terminal Railway Company, owned and used for common-carrier purposes, found to be \$1,935,000, as of June 30, 1916.

Chatham Terminal Co., 125 I. C. C. 631.

1510. Final value for rate-making purposes of the property of the Chatham Terminal Company, owned and used for common-carrier purposes, found to be \$35,000, as of June 30, 1919, and of property used but not owned, \$88.

Missouri & North Arkansas R. R. Co., 125 I. C. C. 639.

1511. Final value for rate-making purposes of the property of the Missouri and North Arkansas Railroad Company, owned and used for common-carrier purposes found to be \$9,148,460 as of June 30, 1919, and of property used but not owned, \$47.

Great Western Ry. Co., 125 I. C. C. 674.

1512. Final value for rate-making purposes of the property of the Great Western Railway Company, owned and used for common-carrier purposes, found to be \$1,766,000, as of June 30, 1918.

Watertown & Sioux Falls Ry. Co., 125 I. C. C. 701.

1513. Final value for rate-making purposes of the property of the Watertown and Sioux Falls Railway Company, owned and used for common-carrier purposes, found to be \$1,675,000, as of June 30, 1918.

Port Huron Southern R. R. Co., 125 I. C. C. 728.

1514. Final value for rate-making purposes of the property of the Port Huron Southern Railroad Company, owned and used for common-carrier purposes, found to be \$71,400, as of June 30, 1919, and of the property used but not owned, \$334.

Meridian & Memphis Ry. Co., 125 I. C. C. 746.

1515. Final value for rate-making purposes of the property of the Meridian and Memphis Railway Company, owned and used for common-carrier purposes found to be \$648,043, as of June 30, 1917.

Gulf, Mobile & Northern R. R. Co., 125 I. C. C. 765.

1516. Final value for rate-making purposes of the property of the Gulf, Mobile and Northern Railroad Company, owned and used for common-carrier purposes, found to be \$10,715,000, as of June 30, 1917, and of property owned but not used, \$65.

St. Louis & O'Fallon Ry. Co., 125 I. C. C. 821.

1517. Final value for rate-making purposes of the property of the Saint Louis and O'Fallon Railway Company, owned and used for common-carrier purposes, found to be \$810,000, as of June 30, 1919.

Port Huron & Detroit R. R. Co., 125 I. C. C. 839.

1518. Final value for rate-making purposes of the property of the Port Huron & Detroit Railroad Company, owned and used for common-carrier purposes, found to be \$344,129, as of June 30, 1919.

Newburgh & South Shore Ry. Co., 125 I. C. C. 857.

1519. Final value for rate-making purposes of the property of the Newburgh and South Shore Railway Company, owned and used for common-carrier purposes as of June 30, 1917, found to be \$3,312,897, and used but not owned, \$301,499.

Atchison, Topeka & Santa Fe Ry. Co., 127 I. C. C. 1.

1520. Protests of carriers against tentative valuations of their properties considered and determined.

1521. Cost data study of engineering made by a subcommittee of the railroad presidents' conference committee, western group, analyzed and found to warrant no increases in the percentages tentatively applied in estimating cost of reproduction.

1522. In determining freight rates on construction material, *Texas Midland Railroad*, 75 I. C. C. 1, followed. Cost of replacement under maintenance conditions is not equivalent to cost of reproduction. A reasonable reproduction program would not require an assumption of the nonexistence of entire line throughout construction period. The construction period of each section should terminate upon the commencement of commercial operation, even though the section may be used thereafter for hauling construction material to uncompleted sections beyond. Foreign-line haul should be computed at reasonable commercial rates fixed after due consideration, among other factors, of volume of traffic required for reproduction.

1523. When railroads owned by separate corporations comprise a single system, company-haul rate should be used on materials transported over one system road for the construction of another system road.

1524. Studies in cost of tracklaying and surfacing by subcommittee of railroad presidents' conference committee, western group, analyzed and found unacceptable as a basis for pricing this work.

1525. Harvey houses found reasonably necessary for railroad purposes and classified as common-carrier facilities. Hotels, curio buildings, and other improvements apart from railway facilities at Grand Canyon, Ariz., Indian and curio buildings at Albuquerque, N. Mex., news storehouse at Newton, Kans., and dairy farms at Newton and at La Junta, Colo., Del Rio, Ariz., and Temple, Tex., classified as noncarrier because not reasonable necessary.

1526. Refrigerator cars hired on a mileage basis from an affiliated noncarrier corporation can not be included in the inventory of property owned or used by a common carrier.

1527. In estimating cost of reproduction, the cost of foreign-line haul on freight cars should be included in the proportion that such costs were historically borne by the carrier. The cost of distributing freight cars from points of receipt on the carrier's line should not be included.

1528. Percentages for general expenditures derived from study of cost data on comparatively small projects are not determinative in estimating such expenditures for a major carrier.

1529. Existence of depreciation is a question of fact. If it exists it must be ascertained and reported, even if it is balanced by appreciation, solidification, or other factors. Visual inspection and outside measurements fail to disclose full amount of physical deterioration, and the latter fails to measure the whole of depreciation. Normal service life of property under particular conditions can not be disregarded.

1530. Cash working capital is that required for operation and taxes and is exclusive of funds necessary to meet maturing obligations, interest on indebtedness, rent other than for the use of joint facilities, dividends, or expenditures for additions and betterments. Experience of the carrier as to the relative lag in income and outgo of revenue is a controlling factor in determining its needs. Cash accumulated from collections made in advance of disbursements for the same services should not be included in working capital.

1531. Unapplied materials issued for imminent use and charged in operating expenses should not be included in material and supplies.

1532. In a valuation for rate-making purposes, going-concern value can not be measured in whole or in part by earning power, skill of management, efficiency of employees, readiness to serve, amount of attached business, or past deficits.

1533. Final value for rate-making purposes as of June 30, 1916, of all properties embraced in this proceeding, used by the Santa Fe system for common-carrier purposes, found to be \$579,057,598, including \$15,665,500 for working capital.

Saint Paul Union Depot Co., 130 I. C. C. 1.

1534. Final value for rate-making purposes of the property of The Saint Paul Union Depot Company, owned and used for common-carried purposes, found to be \$5,884,000, as of June 30, 1918.

Manufacturers Railway Co., 130 I. C. C. 23.

1535. Final value for rate-making purposes of the property of the Manufacturers Railway Company (St. Louis), owned and used for common-carrier purposes, found to be \$1,330,000, as of June 30, 1917, and of property used but not owned, \$438,564.

Central of Georgia Ry. Co., 130 I. C. C. 43.

1536. Final value for rate-making purposes of the property of the Central of Georgia Railway Company owned and used for common-carrier purposes as of June 30, 1915, found to be \$63,458,485, owned but not used, \$878,184, and used but not owned, \$15,743,087.

Pacific & Idaho Northern Ry., 130 I. C. C. 169.

1537. Final value for rate-making purposes of the property of the Pacific & Idaho Northern Railway, owned and used for common-carrier purposes, found to be \$2,167,562, as of June 30, 1916.

Atchison Union Depot & R. R. Co., 130 I. C. C. 189.

1538. Final value for rate-making purposes of the property of the Atchison Union Depot and Railroad Company, owned and used for common-carrier purposes, found to be \$156,000, as of June 30, 1917.

Rutland R. R. Co., 130 I. C. C. 205.

1539. Final value for rate-making purposes of the property of the Rutland Railroad Company, owned and used for common-carrier purposes, found to be \$21,025,000 as of June 30, 1917; used but not owned, \$328,080; and owned but not used, \$3,514.

Etna & Montrose R. R. Co., 130 I. C. C. 277.

1540. Final value for rate-making purposes of the property of the Etna and Montrose Railroad Company, owned and used for common-carrier purposes, found to be \$195,000, as of June 30, 1918.

Aransas Harbor Terminal Ry., 130 I. C. C. 291.

1541. Final value for rate-making purposes of the property of the Aransas Harbor Terminal Railway, owned and use for common-carrier purposes, found to be \$232,900, as of June 30, 1919, of property used but not owned, \$3,528, and of property owned but not used, \$6,957.

Texas South-Eastern R. R. Co., 130 I. C. C. 308.

1542. Final value for rate-making purposes of the property of the Texas South-Eastern Railroad Company, owned and used for common-carrier purposes, found to be \$411,700, as of June 30, 1919.

Illinois Terminal R. R. Co., 130 I. C. C. 326.

1543. Final value for rate-making purposes of the property of the Illinois Terminal Railroad Company, owned and used for common-carrier purposes, found to be \$1,204,030, as of June 30, 1919, and of property used but not owned, \$55,500.

Lake Superior Terminal & Transfer Ry. Co., 130 I. C. C. 353.

1544. Final value for rate-making purposes of the property of The Lake Superior Terminal and Transfer Railway Company of the State of Wisconsin, owned and used for common-carrier purposes, found to be \$723,000, as of June 30, 1917, and of property used but not owned, \$3,620.

Bennettsville & Cheraw R. R. Co., 130 I. C. C. 378.

1545. Final value for rate-making purposes of the property of the Bennettsville and Cheraw Railroad Company (W. R. Bonsal, lessee), owned and used for common-carrier purposes, found to be \$6,570, as of June 30, 1918, and of the property used but not owned, leased from and owned by the Bennettsville and Cheraw Railroad Company, \$345,000.

Union Terminal Co. (Dallas, Tex.), 130 I. C. C. 393.

1546. Final value for rate-making purposes of the property of The Union Terminal Company (Dallas, Tex.), owned and used for common-carrier purposes, found to be \$4,402,300, as of June 30, 1917, and of property used but not owned, \$515,450.

Cambria & Indiana R. R. Co., 130 I. C. C. 412.

1547. Final value for rate-making purposes of the property of the Cambria and Indiana Railroad Company, owned and used for common-carrier purposes, as of June 30, 1918, found to be \$3,965,000.

Colorado & Wyoming Ry. Co., 130 I. C. C. 446.

1548. Final value for rate-making purposes of the property of The Colorado & Wyoming Railway Company, owned and used for common-carrier purposes, found to be \$3,316,423, as of June 30, 1918, of property owned but not used, \$193,100, and of property used but not owned, \$10,400.

Peoria Ry. Terminal Co., 130 I. C. C. 475.

1549. Final value for rate-making purposes of the property of the Peoria Railway Terminal Company, owned and used for common-carrier purposes, found to be \$1,156,000 as of June 30, 1916, and of property used but not owned, \$4,065.

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APPENDIX E

DIGEST OF FEDERAL COURT DECISIONS

DIGEST OF FEDERAL COURT DECISIONS

A discussion of court decisions involving injunctions to restrain enforcement of orders of this commission and of decisions relative to criminal violations of the law can be found in the text of this annual report. The decisions abstracted herein involve questions of railway regulations which are closely related to matters arising before commissions.

IN THE SUPREME COURT

CARRIAGE OF MILITARY IMPEDIMENTA

In *S. P. Co. v. United States*, 273 U. S. 202 (November 22, 1926), it was held that Government officials, are not chargeable as matter of law with knowledge of a tariff on file governing the transportation of military impedimenta, if it was not required to be filed.

CONFISCATORY RATES

In *McCardle v. Ind. Water Co.*, 272 U. S. 400 (November 22, 1926), it was held that upon the question whether or not a rate fixed for a public utility is confiscatory it must be determined whether the rate complained of is yielding, or will yield, over and above the amounts necessary to pay taxes and proper operating charges, a sum sufficient to constitute just compensation for the use of the property employed to furnish the service, and is a reasonable rate of return on the value of the property at the time of the investigation and for a reasonable time in the immediate future.

In *Minn. R. R. & W. Comm. v. D. S. Ry. Co.*, 273 U. S. 625 (April 11, 1927), it was held that the requirement that State remedies for relief from a confiscatory rate be exhausted before resorting to the Federal courts is not a fundamental principle of substantive law, but merely a requirement of convenience or comity.

In *F. S. L. & T. Co. v. Board of Imp.*, 267 U. S. 330 (May 16, 1927), it was held that a street railway company can not avoid payment of a street-paving assessment because it loses money in the operation of its road at the rate allowed.

In *C., M. & St. P. Ry. Co. v. Idaho P. U. C.*, 274 U. S. 344 (May 16, 1927), it was held that a State has no power to require railroad companies to haul logs in intrastate commerce at a loss, or without compensation that is reasonable and just, even if they receive adequate revenues from the intrastate haul and the interstate haul of the resulting timber, taken together.

INTERSTATE COMMERCE

In *United States v. Brims*, 272 U. S. 549 (November 23, 1926), it was held that the crime of restraining interstate commerce through a combination is not condoned by the inclusion of intrastate commerce as well.

In *Hughes Bros. Timber Co. v. Minn.*, 272 U. S. 469 (November 23, 1926), it was held that the entry of logs upon a journey in interstate commerce so as not to be subject to local taxation begins when the ice breaks and they begin to move down the river under a contract by which they are sold for destination in another State; but mere intention of the owner ultimately to send logs out of the State does not put them into interstate commerce.

In *Rhode Island P. U. C. v. A. S. & E. Co.*, 273 U. S. 83 (January 3, 1927), it was held that a State can not regulate the rates charged by a local electrical corporation for current sold to a foreign corporation for use in another State and delivered at the State boundary, although the rates of local consumers may be affected by the inadequacy of the contract rate under which the current is being delivered to the foreign corporation.

In *Fed. Trade Comm. v. P. S. P. T. Asso.*, 273 U. S. 52 (January 3, 1927), it was held that interstate commerce is not confined to transportation, but comprehends all commercial intercourse between different States and all component

parts of such intercourse, including the buying and selling of commodities for shipment from one State to another.

In *Interstate Busses Corp. v. H. S. Ry. Co.*, 273 U. S. 45 (January 3, 1927), it was held that a carrier doing an interstate- and intrastate business has the burden of showing that the enforcement of a statute requiring a license to do intrastate business operates to prejudice interstate business.

In *Bedford Cut Stone Co. v. Journeymen's Asso.*, 274 U. S. 37 (April 11, 1927), it was held that a restraint upon commerce is none the less in restraint of interstate commerce because it operates after physical transportation has ended.

In *Morris v. Duby*, 274 U. S. 135 (April 18, 1927), it was held that in the absence of national legislation especially covering the subject of interstate commerce, the State may rightfully prescribe uniform regulations adopted to promote safety upon the highways and the conservation of their use, applicable alike to vehicles moving in interstate commerce and those of its own citizens.

In *C. M. & St. P. Ry. Co. v. Idaho P. U. Co.*, 274 U. S. 344 (May 16, 1927), it was held that the methods of a State commission for fixing carrier rates on intrastate log shipments are arbitrary, when the commission claims authority from an Interstate Commerce Commission order authorizing reduction in freight and lumber rates in interstate commerce, but not relating to intrastate log shipments.

In *Hope Natural Gas Co. v. Hall*, 274 U. S. 284 (May 16, 1927), it was held that a State may impose a tax upon the value at the well of natural gas produced within its limits, although the gas is transported into other States for consumption.

In *Laurence v. St. L.-S. F. Ry. Co.* (May 31, 1927) it was held that requiring that the regulating body of a State shall be advised of a proposed change affecting transportation conditions within the State is not such an obvious interference with interstate commerce that on application for a preliminary injunction the requirements will lightly be assumed to be beyond the power of the State.

In *Vidalia v. McNeely* (June 6, 1927) it was held that the transportation of persons and property from one State to another by ferry is interstate commerce, subject to congressional regulation.

INTRASTATE RATES

In *Ark. R. R. Comm. v. C., R. I. & P. R. R. Co.* (May 31, 1927) it was held that the intention of this commission to interfere with the State function of regulating intrastate rates for railroad transportation should not be presumed; that where there is serious doubt whether an order of this commission extends to intrastate rates, the doubt should be resolved in favor of the State power; and that a railroad company which believes this commission intended to include intrastate rates within its order fixing rates on a particular commodity within a specified territory, where such intention is not specifically shown, should, through appropriate application, remove the doubt by securing an expression by this commission of its intent to do so, and not proceed to change its intrastate rates without authority of the State commission.

VALUATION OF PUBLIC UTILITY

In *McCardle v. Ind. Water Co.*, 272 U. S. 400 (November 22, 1926), it was held that the testimony of competent valuation engineers who examine the property of a public utility and make estimates in respect to its condition is to be preferred to mere calculations based on averages and assumed probabilities.

DAYLIGHT SAVING LAW

In *Mass. State Grange v. Benton*, 272 U. S. 525 (November 23, 1926), it was held that a State statute advancing standard time by one hour is not inconsistent with the Federal statute fixing the standard time and providing that in requiring certain acts to be performed it shall be understood that the time shall be the United States standard time of the zone within which the act is to be performed.

BOILER INSPECTION ACT

In *Napier v. A. C. L. R. R. Co.*, 272 U. S. 605 (November 29, 1926), it was held that the power conferred upon this commission by the Federal boiler inspection act occupies the entire field so as to exclude State power to require automatic doors to fire boxes and cab curtains.

FOREIGN COMMERCE

In *Di Santo v. Pa.*, 273 U. S. 34 (January 3, 1927), it was held that a State can not require a broker for the sale of tickets for passage to foreign countries to procure a license, furnish proof of character and fitness to conduct such business, and give bond to account for moneys received, and to abstain from fraud and misrepresentation.

DEMURRAGE

In *Emmons Coal Mining Co. v. N. & W. Ry. Co.*, 272 U. S. 709 (January 3, 1927), it was held that under an agreement between coal miners to form a pool to facilitate deliveries at a point where coal is transferred from cars to vessels, which provides that the member shall be liable to the railroad for demurrage and that the coal shall be consigned to the member in care of the pool, the member, and not the pool, is liable for demurrage on the cars consigned to him.

BILLS OF LADING

In *United States v. Burton Coal Co.*, 273 U. S. 337 (February 21, 1927), it was held that the interstate commerce act provides for regulating the issuance, form, and substance of bills of lading for property received by carriers for transportation over an interstate inland route to a seaport for delivery to a foreign vessel for ocean carriage to a nonadjacent foreign country, so as to render inoperative the provisions of a State statute as to limiting the common-law liability of a carrier.

LAND-GRANT ROADS

In *L. & N. R. R. Co. v. United States*, 273 U. S. 321 (February 21, 1927), it was held that a land-grant road obligated to carry Government troops at not to exceed 50 per cent of the compensation charged to and paid by private persons for similar transportation is bound to accord the Government, without exacting payment of cash in advance, the prescribed discount from party rates for parties of sufficient size, where the tariff on file provides for party rates, although it requires cash payment in such cases and provides that no land-grant deductions shall be made from party rates.

LIMITATION OF ACTIONS

In *L. & W. R. R. Co. v. Gardiner*, 273 U. S. 280 (February 21, 1927), it was held that neither the provision of the Cummins amendment nor that of the transportation act, making it unlawful for a carrier to contract for less than the prescribed period for institution of suits, is a statute of limitations, and therefore the statute of the State where a cause of action arises against the carrier may apply.

INTANGIBLE RAILROAD PROPERTY

In *So. Ry. Co. v. Ky.*, 274 U. S. 76 (April 11, 1927), it was held that no intangible elements of substantial amount over and above the value of its physical property inheres in a railroad, for purposes of taxation, that can not earn a reasonable rate of return on the mere tangible elements of its property.

PRIOR ACTION BY COMMISSION

In *Timken Roller Bearing Co. v. P. R. R. Co.*, 274 U. S. 181 (April 18, 1927), it was held that the question whether or not a district court of the United States can afford relief to a shipper who has done his own switching, although paying the carrier therefor, in the absence of an administrative decision of this commission, does not present a jurisdictional question which may be taken directly from its decision to the Supreme Court of the United States.

BUS AND TRUCK TRANSPORTATION

In *Interstate Busses Corp. v. H. S. Ry. Co.*, 273 U. S. 45 (January 3, 1927), it was held that a State may in the public interest reasonably control and regulate the use of its highways by busses so long as it does not directly burden or interfere with interstate commerce.

In *Road Imp. Dist. v. M. P. R. R. Co.*, 274 U. S. 188 (April 18, 1927), it was held that an assessment upon a railroad to pay the cost of a hard-surface road parallel to the railroad violates the due process clause of the Constitution, where the testimony shows that the benefit to be derived by the railroad from the construction of the highway will be largely offset by loss of local traffic to motor-driven vehicles.

In *Morris v. Duby*, 274 U. S. 135 (April 18, 1927), it was held that the fact that the use on public highways by common carriers of trucks with load weighing over a certain amount is injurious to the highway for the use of the general public, and unduly increases the cost of maintenance and repair, outweighs the fact that limiting them to a smaller load prevents competition with freight traffic on parallel steam railroads.

In *Clark v. Poor* (May 31, 1927) it was held that a motor transportation company contemplating the use of the highway of a State exclusively in interstate commerce may be required to secure a certificate from the State officials and pay a tax not required of persons using automobiles on the highway generally, for the maintenance and repair of the highways and the administration and enforcement of the laws governing the use of the same.

OVERCHARGES

In *St. L. & S. F. R. R. Co. v. Spiller*, 274 U. S. 304 (May 16, 1927), it was held that public policy does not require that preferential payment out of the assets of a defunct railroad company passing into the hands of a court be given a claim for overcharges of freight rates which arose many years before the appointment of receivers.

IN THE CIRCUIT COURTS OF APPEALS

CARMACK AMENDMENT

In *Davis v. Livingston*, 13 F. (2d), 605 (June 14, 1926), the court for the ninth circuit held that under the Carmack amendment, the "lawful holder" of a bill of lading is made the representative of the real parties in interest, and may recover from the carrier for any loss or damage to the property in transit.

INTERSTATE COMMERCE

In *Continental Securities Co. v. M. C. R. R. Co.*, 16 F. (2d), 378 (December 16, 1926), the court for the sixth circuit held that it is impossible to decree dissolution for intrastate traffic, as violative of State law, of combination for general traffic of competing railroads, without directly affecting and upsetting interstate traffic, and thus trespassing on Federal subject, as to which Congress has legislated.

In *A. C. L. R. R. Co. v. Standard Oil Co.*, 16 F. (2d), 441 (December 17, 1926), the court for the sixth circuit held that as respects freight rates, interstate movement of fuel oil shipped into a State on annual contracts with consumers in the State, executed before shipment, does not end on delivery of oil into storage tanks at port of entry, where title passed from the producer, to await further shipment to consumers as needed, as the interest of those engaged in interstate commerce determines whether interstate commerce ends at a particular point.

In *S. Ry. Co. v. Taylor*, 16 F. (2d), 517 (December 6, 1926), the District of Columbia Court of Appeals held that the operator of an elevator in an office building is not a "common carrier," nor is he engaged in commerce.

In *Jello Co. v. Landes*, 20 F. (2d), 120 (May 31, 1927), the court for the ninth circuit held that a State may not burden interstate commerce under the guise of regulating intrastate business which includes employment of agents to solicit contracts for sale of interstate commodities.

HEARINGS

In *Minn. Ch. Com. v. Fed. Trade Com.*, 13 F. (2d), 673 (July 13, 1926), the court for the eighth circuit held that hearings before administrative bodies may be informal, and, if suited to the matter involved, rather summary, but must be held on reasonable notice at such time and place as to afford interested parties opportunity to attend with reasonable effort and to present evidence and arguments.

REPARATION

In *Mellon v. Erb*, 13 F. (2d), 752 (July 12, 1926), the court for the ninth circuit held that this commission can not order reparation to a shipper, compelled to pay domestic rate because of noncompliance with regulations for obtaining lower export rate, in absence of finding that regulation was unreasonable.

In *Spiller v. St. L. & S. F. R. R. Co.*, 14 F. (2d), 284 (June 24, 1926), the court for the eighth circuit held that a shipper's right to reparation under the interstate commerce act is not an exclusive remedy, precluding recovery of illegal freight exactions, on the theory of trusteeship ex maleficio of carrier.

In *Swift & Co. v. N. Y. C. R. R. Co.*, 16 F. (2d), 17 (December 6, 1926), the court for the second circuit held that where a judgment dismissing complaint in action on reparation award of this commission is reversed for new trial, application for attorney's fees must be made to the trial court on new trial.

In *A. C. L. R. R. Co. v. Standard Oil Co.*, 16 F. (2d), 441 (December 17, 1926), the court for the sixth circuit held that the successful plaintiff in a suit to restrain enforcement of interstate rates, and for accounting and refund of excess over intrastate rates improperly collected, is entitled to interest on each excess payment from its date.

In *Jeanneret v. C., B. & Q. R. R. Co.*, 17 F. (2d), 978 (March 22, 1927), the court for the seventh circuit held that the report of this commission, finding rates unreasonable in the future, is not a definite adjudication authorizing recovery of excessive rates between such time and time order was made effective.

In *Krauss Bros. Lumber Co. v. Mellon*, 18 F. (2d), 369 (April 7, 1927), the court for the fifth circuit held that while an order of this commission is necessary in most instances before recovery of a railroad's overcharges may be had, it is not conclusive but only prima facie evidence of facts therein stated, establishing rebuttable presumption.

ESTABLISHMENT OF CAB STANDS

In *D., L. & W. R. R. Co. v. Morristown*, 14 F. (2d), 257 (September 3, 1926), the court for the third circuit held that where a railroad company by contract had authorized a town to exercise necessary police powers for regulating foot and vehicular traffic at its station, the town was authorized to enact an ordinance establishing a cab stand, not only under such contract but also by reason of the fact that the railroad company, by devoting its property to public use, had affected it with public interest.

In *Black & White T. & T. Co. v. B. & Y. T. & T. Co.*, 15 F. (2d), 507 (November 6, 1926), the court for the sixth circuit held that, under Federal law, a railroad may make reasonable arrangements, including granting of special privileges, to single concerns to supply passengers arriving at terminals with hacks and cabs.

FIXING OF RATES

In *Lynchburg T. & L. Co. v. Lynchburg*, 16 F. (2d), 763 (January 11, 1927), the court for the fourth circuit held that the order of the State Corporation Commission fixing street railroad fares on a portion of line extending beyond the city limits, was not fixed by contract, or by a modification of contract by the street railroad with the municipality, but by exercise of the police power of the State.

EXCESS RATES

In *Spiller v. St. L. & S. F. R. R. Co.*, 14 F. (2d), 284 (June 24, 1926), the court for the eighth circuit held that a railroad which, in violation of the interstate commerce act, continued to collect freight at rates which this commission had declared were unjust and unreasonable, holds the portion of such freight unlawfully exacted as trustee ex maleficio for shippers, nor were such rates validated by their continued publication, required by section 6.

In *Swift & Co. v. N. Y. C. R. R. Co.*, 16 F. (2d), 17 (December 6, 1926), the court for the second circuit held that under the interstate commerce act it was the carrier's duty, immediately on a shipper's request for transportation between points on the carrier's line, respecting which there was no published tariff, to publish a rate, and the shipper was entitled to recover excess freight paid because of shipment over longer route.

INSTALLATION OF SIDE TRACKS

In *Harper v. St. L.-S. W. Ry. Co.*, 15 F. (2d), 352 (October 27, 1926), the court for the eighth circuit held that even though a spur track be private, constructed and maintained under private contract, if and when public necessity requires a public track at that point, the railroad can be compelled to install it, as all such private contracts are subject to and must give way before the public necessity.

LIMITATION OF ACTIONS

In *P. R. R. Co. v. Carolina P. C. Co.*, 16 F. (2d), 760 (January 11, 1927), the court for the fourth circuit held that under the interstate commerce act a carrier's action to recover charges with respect to a shipment of goods must be commenced within three years after delivery is made or tendered, notwithstanding a part of the charges, such as storage and unloading, accrued after tender of delivery.

LIMITATION OF LIABILITY

In *Lawrence Leather Co. v. Compagnie, etc.*, 18 F. (2d), 930 (April 4, 1927), the court for the second circuit held that it is lawful for carriers, by contract clauses fairly entered into and fair and reasonable in their provisions, to limit amounts for which they shall be liable; but alternative rates for the alternative limits of liability must be in force at the time of shipment.

TARIFFS

In *S. P. Co. v. Lothrop*, 15 F. (2d), 486 (November 1, 1926), the court for the ninth circuit held that ambiguous tariffs are to be construed favorably to shippers, and that a carrier's intention as to applicable rates is competent only in so far as it is fairly expressed in the language of the printed rates.

In *P. R. R. Co. v. Muller*, 15 F. (2d), 535 (October 19, 1926), the court for the fourth circuit held that a provision in tariffs governing export grain rates that the railroad, on the expiration of five days after the elevation of grain, assumes the cost of the storage does not limit the measure of damages for unreasonable delay thereto.

BILLS OF LADING

In *N. W. Casualty & S. Co. v. I. C. R. R. Co.*, 19 F. (2d), 868 (June 8, 1927), the court for the seventh circuit held that a statute providing for the delivery of freight without bill of lading "lost, stolen, or destroyed" should be broadly construed.

PRIOR ACTION OF THE COMMISSION

In *Jcanneret v. C., B. & Q. R. R. Co.*, 17 F. (2d), 978 (March 22, 1927), the court for the seventh circuit held that where reparation is sought on the basis of an existing published rate being unjust and unreasonable, the fact that it is so unjust and unreasonable must first be passed on and established by this commission.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

In *Detroit T. R. R. Co. v. P.-D. R. R. Co.*, 15 F. (2d), 507 (November 9, 1926), the court for the sixth circuit held that the uncompleted part of railroad, substantially completed before the transportation act, is not such a new line or extension as requires a certificate of public convenience and necessity under that act.

AGREED VALUATION

In *Lawrence Leather Co. v. Compagnie, etc.*, 18 F. (2d), 930 (April 4, 1927), the court for the second circuit held that the rule that if a carrier gives a shipper the choice of two rates, the lower of which is conditioned on a stipulated valuation of property in case of loss, the shipper choosing the lower rate is bound to the valuation named, is based on estoppel.

REMOVAL OF CAUSES

In *Allen v. N. Y., P. & N. R. R. Co.*, 15 F. (2d), 532 (October 19, 1926), the court for the fourth circuit held that a suit arising under the Federal act to regulate commerce is removable to a Federal court, irrespective of the amount involved.

"SHIPMENT" AND "TRANSPORTATION"

In *P. R. R. Co. v. Carolina P. C. Co.*, 16 F. (2d), 760 (January 11, 1927), the court for the fourth circuit held that "shipment" is a broader, not a narrower, word than "transportation," and can be used to include property which is subject of transportation, as well as transportation itself.

ICING CHARGES

In *Allen v. N. Y., P. & N. R. R. Co.*, 15 F. (2d), 532 (October 19, 1926), the court for the fourth circuit held that where a tariff provided carload rates for strawberries shipped in refrigerated cars, the shipper paying the carload rate transportation, though not loading the car to the maximum, must pay the flat rate icing charges thereon.

JURISDICTION OF THE COMMISSION

In *Hover & Co. v. D. & R. G. W. R. R. Co.*, 17 F. (2d), 881 (February 21, 1927), the court for the eighth circuit held that this commission is not a legislative body. It has the power to execute and enforce. It can not make or modify the law. Executive and administrative departments of the Government are required to keep within the limits of the power granted them by Congress.

TRANSPORTATION OF DANGEROUS ARTICLES

In the case last cited the court further held that the regulation by this commission relative to shipping carbon bisulphide in metal cans of not less than 28-gauge, being unauthorized by law, imposed no duty on shippers, and violation thereof by a shipper does not constitute negligence as matter of law, or evidence of negligence.

DEMURRAGE

In *P. R. R. Co. v. Muller*, 15 F. (2d), 535 (October 19, 1926), the court for the fourth circuit held that demurrage paid on ocean-going vessels by a shipper because of unreasonable delay of a railroad in transporting grain for export is a proper element of damages.

VALUATION OF PUBLIC UTILITY

In *Temmer v. Denver T. Co.*, 18 F. (2d), 226 (March 18, 1927), the court for the eighth circuit held that the rating base value for a tramway company furnishes no proper or legal criterion on which to bottom actual value, since the former is bottomed on the present value of lands plus present stable cost of constructing the plant, less depreciation for use, and plus a fair allowance for going value, intangible elements, and working capital.

In *D. C. P. U. C. v. C. T. Co.*, 17 F. (2d), 673 (February 7, 1927), the District of Columbia Court of Appeals held that a rate base valuation of a street railway is not intended as a buying or selling price, the company being entitled to rates balancing depreciation, as well as paying reasonable return.

PREFERENCE UNDER EMERGENCY ACT

In *Avent v. United States*, 15 F. (2d), 616 (November 9, 1926), the court for the sixth circuit held that the order of this commission for preference in the transportation of coal was valid under the transportation act, 1920, and the national emergency act, 1922.

PUBLISHED RATE CONTROLS

In *Dare v. N. Y. C. R. R. Co.*, 20 F. (2d), 379 (June 6, 1927), the court for the second circuit held that the freight charges must coincide with the rate fixed by law, notwithstanding contractual arrangements between the consignee and carrier to the contrary.

REBATES

In *Spencer Kellogg & Sons v. United States*, 20 F. (2d), 459 (July 5, 1927), the court for the second circuit held that an elevator company, collecting charges from a railroad and refunding half thereof to consignees or shippers of grain, is guilty of rebating.

WHEN CONSIGNOR LIABLE FOR FREIGHT CHARGES

In *Md. Casualty Co. v. Ohio River Gravel Co.*, 20 F. (2d), 514 (July 5, 1927), the court for the fourth circuit held that a consignor, on failure of consignee to make payment of freight charges, is liable therefor.

WHEN CONSIGNEE LIABLE FOR FREIGHT CHARGES

In *Dare v. N. Y. C. R. R. Co.*, 20 F. (2d), 379 (June 6, 1927), the court for the second circuit held that a consignee, who receives the goods, becomes legally bound to pay the freight charges.

IN THE DISTRICT COURTS

INTERSTATE COMMERCE

In *Standard Oil Co. v. A. C. L. R. R. Co.*, 13 F. (2d), 633 (June 10, 1926), the court for the western district of Kentucky held that in determining whether or not freight movement is interstate or intrastate, the court must look to the essential nature of the movement and not merely to its accidents or isolated incidents.

In *S. A. L. Ry. Co. v. Lee*, 14 F. (2d), 439 (August 28, 1926), the court for the eastern district of North Carolina held that the reshipments of fertilizers from the port of receipt by the importer to points in the same State are intrastate and subject to the local rates.

In *Brown & Co. v. Dillard*, 15 F. (2d), 408 (October 16, 1926), the court for the northern district of Texas held that the failure of a foreign corporation to have a permit to do business in Texas is no defense to an action by it on a written contract relating to interstate commerce.

In *Wrigley P. Co. v. Cameron*, 16 F. (2d), 290 (December 27, 1926), the court for the middle district of Pennsylvania held that the Pennsylvania law regulating the sale of securities is not an unlawful interference with interstate commerce; but that a State can not, under the cover of exercising its police powers, undertake what amounts essentially to the regulation of interstate commerce, or impose a direct burden thereon.

In *Edward Sales Co. v. Harris S. S. Co.*, 17 F. (2d), 155 (January 15, 1927), the court for the district of Maine held that the shipping of a small quantity of steel into a State by a foreign corporation is interstate commerce and is not "carrying on business" within the State.

In *Scott v. Thebes*, 17 F. (2d), 410 (February 11, 1927), the court for the eastern district of Illinois held that a village ordinance exacting license for operating an interstate ferry is invalid, as putting an unreasonable burden on interstate commerce.

In *American T. Co. v. Philadelphia*, 18 F. (2d), 991 (April 19, 1927), the court for the eastern district of Pennsylvania held that any action by a State, directly or through its municipalities, exercising such control over interstate commerce as to directly interfere with its operation, must be such as does not impose unreasonable burdens on that commerce, nor subject it to unreasonable demands.

In *Interstate Busses Corp. v. Blodgett*, 19 F. (2d), 256 (January 4, 1927), the court for the district of Connecticut held that a State statute, imposing a mileage tax on interstate carriers of passengers by motor bus, as compensation for the use and wear of its highways and contribution to their upkeep, does not impose an unconstitutional burden on interstate commerce.

CONFISCATORY RATES

In *Idaho Power Co. v. Thompson*, 19 F. (2d), 547 (April 28, 1927), the court for the district of Idaho held that in determining whether electric rates fixed by the public utilities commission amount to the taking of a company's property without just compensation, "reasonable" or "just" return is considered in-

judicial, as opposed to legislative aspect, and is understood as equivalent of "nonconfiscatory."

EXCESS RATES

In *Standard Oil Co. v. A. C. L. R. R. Co.*, 13 F. (2d), 633 (June 10, 1926), the court for the western district of Kentucky held that causes of action for excess rates charged on different freight shipments are such as could be united in one suit and would not be such multiplicity of actions as is required to give equity jurisdiction.

EXCESSIVE REFUND

In *M. C. R. R. Co. v. Partridge Lumber Co.*, 17 F. (2d), 657 (July 28, 1926), the court for the district of Minnesota held that a railroad's cause of action for recovery of overpayment on refunding a freight overcharge accrued on the date of such refund and not on the date of the delivery of the shipment, and action therefor may be maintained under the interstate commerce act within three years thereafter, since the obligation to repay did not arise out of the contract for transportation, but out of the implied contract for repayment thereof.

REPARATION

In *G. & S. F. Ry. Co. v. Beatty Brokerage Co.*, 15 F. (2d), 950 (March 20, 1925), the court for the western district of Louisiana held that the district court has the jurisdiction of a suit to recover interstate freight charges, regardless of the amount involved.

In *World Pub. Co. v. Davis*, 16 F. (2d), 130 (April 23, 1926), the court for the northern district of Oklahoma held that a reparation award of this commission, affirming its conclusion in prior cases as to a rate, is an adequate finding of a maximum rate, notwithstanding the recital that the rates were "relatively unreasonable"; that the charging of an unreasonable through rate is a joint tort, and carriers participating therein are jointly and severally liable for damages sustained, though other carriers, also liable, were not made parties to the proceeding; and that in actions to enforce reparation the railroads may be held liable for interest, attorney's fees, and costs.

DUTY OF COMMON CARRIER TO SHIPPER

In *The Henry W. Breyer*, 17 F. (2d), 423 (January 12, 1927), the court for the district of Maryland held that when the relationship of shipper and carrier is established, there is a duty imposed by law arising out of the relation which the carrier sustains to the public, and no special contract is necessary.

BILLS OF LADING

In *C. & P. Ry. Co. v. Central Warehouse Co.*, 14 F. (2d), 123 (July 30, 1926), the court for the district of Minnesota held that a railroad, which delivered a sugar shipment to a warehouse company, which was the endorsee of the shipper's order bill of lading reciting that charges had been prepaid, can collect the unpaid charges from the warehouse company.

In *The Cabo Villano*, 14 F. (2d), 978 (June 30, 1926), the court for the eastern district of New York held that under both the American and the Spanish law delivery by a ship of merchandise shipped on order bill of lading to one not holder of the bill is a wrongful delivery.

LIMITATION OF ACTIONS

In *H. & T. C. R. R. Co. v. Lee County Produce Co.*, 14 F. (2d), 145 (June 1, 1926), the court for the southern district of Texas held that an action for freight on carload shipments not instituted for approximately three years is barred by limitation.

In *World Pub. Co. v. Davis*, 16 F. (2d), 130 (April 23, 1926), the court for the northern district of Oklahoma held that a claim for attorney's fees, first set up in amendment to petition in action to enforce reparation award of this commission, is not barred by limitation.

In *Knickerbocker Fuel Co. v. Mellon*, 18 F. (2d), 128 (December 1, 1926), the court for the southern district of New York held that an action against the

Director General of Railroads to recover money collected by and paid to him through mutual mistake of fact, commenced shortly after discovery of the mistake by plaintiff, but more than two years after the payment, is not barred by the limitation in the transportation act.

LIMITATION OF LIABILITY

In *The Cabo Villano*, 14 F. (2d), 978 (June 30, 1926), the court for the eastern district of New York held that a provision in a bill of lading, drawn by the carrier, which attempts to exonerate it from liability for goods exceeding in value of \$100 per package, is void.

In *Lawrence Leather Co. v. Norton, Lilly & Co.*, 15 F. (2d), 101 (April 30, 1926), the court for the southern district of New York held that a carrier may regulate the extent of its liability according to different freight rates.

RECOVERY OF FREIGHT CHARGES

In *H. & T. C. R. R. Co. v. Lee County Produce Co.*, 14 F. (2d), 145 (June 1, 1926), the court for the southern district of Texas held that a carrier, accepting shipment of eggs on which freight was to be paid by purchaser presenting assigned bill of lading, is not entitled, after permitting diversion of shipment by purchaser and failure to collect freight of ultimate consignee, to recover freight from the original shipper.

ABANDONMENT OF RAILROAD

In *B. N. & S. Ry. Co. v. Tex. R. R. Com.*, 16 F. (2d), 297 (December 24, 1926), the court for the western district of Texas held that this commission has no power or authority to issue an order for the abandonment of a railroad that is engaged wholly in intrastate commerce.

REMOVAL OF TRACKS

In *Conway v. A. C. L. R. R. Co.*, 20 F. (2d), 250 (March 3, 1926), the court for the eastern district of South Carolina held that the transportation act does not preclude a town from requiring the removal of railroad tracks from its streets.

OPERATION AT A LOSS

In the last-cited case the court further held that if it appears reasonably certain that future operation will be at a loss, a railroad, in the absence of a contract, may cease operations, dismantle its road, and realize its salvage value.

MOTOR BUSES

In *American Transit Co. v. Philadelphia*, 18 F. (2d), 991 (April 19, 1927), the court for the eastern district of Pennsylvania held that a Philadelphia ordinance requiring the licensing of motor busses is not invalid, as imposing a burden on interstate commerce.

In *Interstate Busses Corp v. Blodgett*, 19 F. (2d), 256 (January 4, 1927), the court for the district of Connecticut held that a State may employ different methods of taxation for the use of its highways by intrastate and interstate motor bus carriers.

In *Clark v. Poor*, 20 F. (2d), 182 (October 19, 1925), the court for the southern district of Ohio held that an interstate carrier, which has not offered to comply with the valid provisions of the Ohio motor transportation act, is not entitled to enjoin its enforcement.

BOILER INSPECTION ACT

In *S. I. R. T. Ry. Co. v. N. Y. P. S. Com.*, 16 F. (2d), 313 (September 9, 1926), the court for the southern district of New York held that the New York law relating to the electrification of railroads is invalid, because it conflicts with the Federal boiler inspection and safety appliance acts.

PRIVATE CARRIER

In *Film T. Co. v. Mich. P. U. Co.*, 17 F. (2d), 857 (February 24, 1927), the court for the eastern district of Michigan held that a transportation company, engaged in transporting moving-picture films for theaters and exchanges under special contracts, exclusively operating over fixed routes, but which did not advertise or solicit business, nor hold itself out to transport for the public indiscriminately, is a private carrier.

VALUATION OF PUBLIC UTILITY

In *Columbus G. & F. Co. v. Columbus*, 17 F. (2d), 630 (February 12, 1927), the court for the southern district of Ohio held that the cost of cutting and replacing pavement is properly included in determining a gas rate, based on reproduction; that an allowance for "undistributed structural costs" is proper for a gas-rate base; that an allowance of ten per cent for going-concern value in a gas-rate base case is reasonable; that an ordinance fixing gas rates, allowing return of 7.078 per cent is not confiscatory; and that a city is within its rights in refusing to consent to an "engineering conference" in a gas-rate case.

In *Idaho Power Co. v. Thompson*, 19 Ib. 547 (April 28, 1927), the court for the district of Idaho held that in determining a rate base of an electric company the court takes the fair value of the plant as of date of inquiry, computed on the reproduction cost theory, adding thereto a reasonable amount for working capital.

REBATES

In *United States v. N. P. Ry. Co.*, 18 F. (2d), 299 (February 21, 1927), the court for the eastern district of Washington held that the settlement and payment of damage claims for the elevation of tracks by a railroad company could not be considered a device indirectly to grant concessions on freight rates to its tenants, in violation of the Elkins Act.

PRIOR ACTION BY COMMISSION

In *Louisiana v. M. L. & T. R. R. & S. S. Co.*, 18 F. (2d), 645 (March 7, 1927), the court for the western district of Louisiana held that until this commission acts on an application for permission to lease interstate railroads the courts can not determine the issues.

INTRASTATE TRAFFIC

In *S. Ry. Co. v. Shealy*, 18 F. (2d), 784 (March 31, 1927), the court for the eastern district of South Carolina held that the authority of this commission may include, incidentally, the power to regulate intrastate commerce.

REGULATION OF TERMINAL FACILITIES

In the last-cited case it was further held that by the interstate commerce act the power to regulate the use of terminal facilities of an interstate railroad, including all sidings and switch and spur tracks, is vested in this commission, to the exclusion of the States.

CARRIER BOUND BY TARIFF RATE

In *Magnolia Provision Co. v. B., S. L. & W. Ry. Co.*, 20 F. (2d), 384 (June 17, 1927), the court for the southern district of Texas held that a carrier can not avoid compliance with a rate it has filed and published on the claim that it was promulgated through mistake.

APPENDIX F

STATEMENTS OF CERTIFICATES AND ORDERS ISSUED
UNDER VARIOUS SECTIONS OF THE INTERSTATE
COMMERCE ACT AND THE TRANSPORTATION ACT,
1920, AND STATEMENT OF PAYMENTS MADE BY CAR-
RIERS UNDER SECTION 15A OF THE INTERSTATE
COMMERCE ACT

CERTIFICATES OF CONVENIENCE AND NECESSITY FOR CONSTRUCTION ISSUED UNDER PARAGRAPHS (18) TO (22) OF SECTION 1 OF THE INTERSTATE COMMERCE ACT

Name of applicant	Location of line	Mileage
Alabama, Tennessee & Northern R. R. Corporation.	Washington and Mobile Counties, Ala.....	28.00
Atlantic City R. R. Co.....	Cape May County, N. J.....	2.64
Birmingham Southern R. R. Co.....	Jefferson County, Ala.....	2.40
California, Arizona & Santa Fe Ry. Co.....	Maricopa County, Ariz.....	15.00
Chartiers Southern Ry. Co.....	Greene County, Pa.....	7.60
Chicago & North Western Ry. Co.....	Butte County, S. Dak.....	12.70
Do.....	Butte and Lawrence Counties, S. Dak.....	3.50
Clinton & Oklahoma Western R. R. Co.....	Roger Mills County, Okla.....	25.00
Clinton-Oklahoma-Western R. R. Co. of Texas	Hemphill, Wheeler, and Gray Counties, Tex.....	70.00
Detroit, Grand Haven & Milwaukee Ry. Co.	Oakland County, Mich.....	2.48
and Pontiac, Oxford & Northern R. R. Co.		
Fairport, Painesville & Eastern R. R. Co.....	Lake County, Ohio.....	8.00
Fordyce & Princeton R. R. Co.....	Dallas County, Ark.....	5.00
Fort Worth & Denver South Plains Ry. Co.....	Hall, Motley, Briscoe, Floyd, Hale, Lubbock, Castro, and Swisher Counties, Tex.....	202.00
Georgia & Florida R. R. or R. Lancaster Williams.	Greenwood, Edgefield, Saluda, and Aiken Counties, S. C.....	56.00
Great Northern Ry. Co.....	Chelan County, Wash.....	16.00
Do.....	Chelan and King Counties, Wash.....	10.29
Do.....	Spokane County, Wash.....	.19
Lake Erie & Fort Wayne R. R. Co.....	Allen County, Ind.....	1.08
Louisville & Nashville R. R. Co.....	Harlan County, Ky., and Lee County, Va.....	13.87
Manistee & Repton R. R. Co.....	Monroe County, Ala.....	3.00
Missouri Pacific R. R. Co.....	Rapides Parish, La.....	3.90
Nashville, Chattanooga & St. Louis Ry.....	Sequatchie County, Tenn.....	1.03
Northern Pacific Ry. Co.....	Dawson and McCone Counties, Mont.....	62.00
Do.....	Ravalli County, Mont.....	25.50
Oregon Trunk Ry.....	Klannath County, Oreg.....	78.00
Panhandle & Santa Fe Ry. Co.....	Carson and Hutchinson Counties, Tex.....	21.00
Port Angeles Western R. R. Co.....	Clallam and Jefferson Counties, Wash.....	9.00
Quanah, Acme & Pacific Ry. Co.....	Floyd and Motley Counties, Tex.....	27.00
St. Louis, Brownsville & Mexico Ry. Co.....	Willacy County, Tex.....	18.00
San Antonio & Aransas Pass Ry. Co.....	Cameron County, Tex.....	30.00
San Benito & Rio Grande Valley Ry. Co.....	do.....	24.00
Do.....	do.....	7.00
Sewell Valley R. R. Co.....	Greenbrier County, W. Va.....	12.00
Toledo & Cincinnati R. R. Co.....	Butler County, Ohio.....	4.30
Toledo, Peoria & Western R. R. Corporation.	Henderson County, Ill.....	1.00
Union Pacific R. R. Co.....	Scotts Bluff County, Nebr.....	1.00
Waco, Beaumont, Trinity & Sabine Ry. Co.....	Polk, Hardin, and Jefferson Counties, Tex.....	100.99
Do.....	Houston, Madison, Leon, Robertson, Limestone, Falls, and McLennan Counties, Tex.....	109.30
Western Pacific R. R. Co.....	San Joaquin County, Calif.....	7.50
Total number of miles.....		1,027.27

CERTIFICATES OF CONVENIENCE AND NECESSITY FOR ABANDONMENT ISSUED UNDER PARAGRAPHS (18) TO (22) OF SECTION 1 OF THE INTERSTATE COMMERCE ACT

Name of applicant	Location of line	Mileage
Alabama Central R. R. Co.	Walker County, Ala.	15.250
Atchison, Topeka & Santa Fe Ry. Co.	Riverside County, Calif.	10.290
Baltimore & Ohio R. R. Co.	Jackson County, Ohio	1.021
Do.	Perry County, Ohio	.910
Black Mountain Ry. Co.	Yancey County, N. C.	11.826
Boston & Maine R. R.	Middlesex County, Mass.	2.600
Do.	Essex County, Mass.	.500
Cache Valley R. R. Co.	Lawrence and Greene Counties, Ark.	9.600
Camden & Burlington County Ry. Co. and Pennsylvania R. R. Co.	Burlington County, N. J.	2.400
Central Indiana Ry. Co.	Delaware, Madison, Hamilton, Boone, Montgomery, Parke, and Clay Counties, Ind.	117.690
Central Pacific Ry. Co. and Southern Pacific Co., lessee.	Siskiyou County, Calif.	20.587
Chicago & Alton R. R. Co. and its receivers.	Marshall and Putnam Counties, Ill.	27.000
Chicago, Burlington & Quincy R. R. Co.	Sarpy and Douglas Counties, Nebr.	7.000
Chicago, Burlington & Quincy R. R. Co., Deadwood Central R. R. Co., and Black Hills & Fort Pierre R. R. Co.	Lawrence County, S. Dak.	6.980
Chicago, Rock Island & Pacific Ry. Co.	Jasper County, Iowa	7.000
Delta Land & Timber Co.	Vernon and Beauregard Parishes, La.	25.320
Detroit & Mackinac Ry. Co.	Iosco and Alcona Counties, Mich.	14.660
Do.	Iosco, Alcona, and Oscoda Counties, Mich.	55.180
Fordyce & Princeton R. R. Co.	Dallas and Cleveland Counties, Ark.	5.000
Gainesville Midland Ry. and/or its reorganization committee and/or its receivers.	Hall, Jackson, Barrow, and Walton Counties, Ga.	32.000
Grand Rapids & Indiana Ry. Co. and Pennsylvania R. R. Co.	Missaukee County, Mich.	3.070
Great Northern Ry. Co.	Chelan County, Wash.	17.000
Do.	Chelan and King Counties, Wash.	17.940
Gulf & Sabine River R. R. Co.	Vernon Parish, La.	8.960
Johnsonburg R. R. Co.	Elk and McKean Counties, Pa.	18.400
Kinder & Northwestern R. R. Co.	Allen Parish, La.	2.000
Lenox R. R. Co.	Morgan County, Ky.	7.700
Louisville & Nashville R. R. Co.	Shelby County, Ala.	7.510
Macon & Birmingham Ry. Co. by its receivers.	Bibb, Crawford, Monroe, Upson, Merriwether, and Troup Counties, Ga.	96.600
Manistee & Repton R. R. Co.	Monroe County, Ala.	4.000
Marshall, Elysian Fields & Southeastern Ry. Co.	Harrison County, Tex.	18.000
M. E. Gaskill-Oklahoma & Arkansas Ry.	Mayes and Delaware Counties, Okla.	20.200
Milltown Air Line Ry.	Lanier and Lowndes Counties, Ga.	10.000
Mineral Range R. R. Co.	Houghton County, Mich.	9.190
Mineral Range R. R. Co. and Hancock & Calumet R. R. Co.	do.	2.000
New Castle & Ohio River Ry. Co.	Lawrence County, Ohio	3.500
New Holland Corporation	Hyde and Washington Counties, N. C.	35.000
Northern Pacific Ry. Co.	Bayfield County, Wis.	9.780
Do.	Grays Harbor County, Wash.	4.660
Do.	Ravalli County, Mont.	25.770
Ohio River & Western Ry. Co.	Monroe, Noble, Guernsey, and Muskingum Counties, Ohio.	68.000
Pearl River Valley R. R. Co.	Pearl River County, Miss.	.440
Pigeon River Ry. Co.	Haywood County, N. C.	3.078
Seaboard Air Line Ry. Co.	Alachua and Gilchrist Counties, Fla.	9.840
Do.	Sumter County, Fla.	2.240
Southern Pacific R. R. Co. and Southern Pacific Co.	Fresno County, Calif.	3.180
Southern Pacific R. R. Co. and Southern Pacific Co., lessee.	Ventura County, Calif.	1.180
Spokane, Coeur d'Alene & Palouse Ry. Co.	Spokane County, Wash.	1.330
Washington & Choctaw Ry. Co.	Choctaw County, Ala.	10.500
Western New York & Pennsylvania Ry. Co. and Pennsylvania R. R. Co.	McKean County, Pa.	8.090
Wyoming & Missouri River Ry. Co.	Butte County, S. Dak. and Crook County, Wyo.	17.640
York Harbor & Beach R. R. Co.	York County, Me.	11.000
Total number of miles		830.612

CERTIFICATES OF CONVENIENCE AND NECESSITY FOR ACQUISITION AND/OR OPERATION OF LINES ISSUED UNDER PARAGRAPHS (18) TO (22) OF SECTION 1 OF THE INTERSTATE COMMERCE ACT

Name of applicant	Location of line	Mileage
Arkansas R. R. Co.....	Lincoln County, Ark.....	18. 000
Ashland Ry. Co.....	Clay County, Ala.....	7. 100
Beaumont, Sour Lake & Western Ry. Co.....	Harris County, Tex.....	26. 000
Boston & Maine R. R.....	York County, Me.....	1. 190
Burlington, Muscatine & Northwestern Ry. Co.....	Muscatine County, Iowa.....	5. 500
Camas Prairie R. R. Co.....	Nez Perce, Clearwater, and Idaho Counties, Idaho.....	106. 960
Carolina Southern Ry. Co.....	Hertford and Bertie Counties, N. C.....	22. 550
Chicago, Rock Island & Pacific Ry. Co.....	Freeborn County, Minn.....	12. 340
Denver & Salt Lake Ry. Co.....	Adams, Jefferson, Boulder, Gilpin, Eagle, Routt, and Moffatt Counties, Colo.....	252. 000
Frankfort & Cincinnati R. R. Co.....	Franklin, Scott, and Bourbon Counties, Ky.....	40. 800
Gainesville Midland R. R. Co.....	Bell, Jackson, and Clarke Counties, Ga.....	38. 000
Do.....	Clarke County, Ga.....	2. 000
Georgia & Florida R. R. or R. Lancaster Williams.....	Richmond, Burke, Emanuel, Toombs, Montgomery, Jeff Davis, Coffee, Atkinson, Berrien, Cooke, Colquit, Lowndes, Jefferson, Glascock, Washington, Jenkins, and Bulloch Counties, Ga., and Madison County, Fla.....	405. 000
Gulf, Mobile & Northern R. R. Co. and/or Jackson & Eastern Ry. Co.....	Hinds County, Miss.....	5. 700
Indian Creek Valley Ry. Co.....	Westmoreland County, Pa.....	4. 000
Indiana Northern Ry. Co.....	St. Joseph County, Ind.....	720
Jacksonville, Gainesville & Gulf Ry.....	Bradford, Alachua, and Marion Counties, Fla.....	56. 000
Los Angeles & Salt Lake R. R. Co.....	Utah County, Utah.....	1. 870
Louisville & Nashville R. R. Co.....	Mobile County, Ala.....	13. 600
Do.....	Wise and Scott Counties, Va.....	18. 000
Do.....	Harlan County, Ky.....	8. 420
Manistee & Northeastern Ry. Co.....	Manistee, Benzie, Grand Traverse, and Leelanau Counties, Mich.....	90. 430
Marianna & Blountstown R. R. Co.....	Calhoun County, Fla.....	14. 000
Missouri Pacific R. R. Co.....	Williamson County, Ill.....	9. 960
Monongahela Ry. Co.....	Washington County, Pa.....	10. 130
Muscle Shoals, Birmingham & Pensacola R. R. Co.....	Escambia County, Fla.....	3. 300
Do.....	do.....	4. 900
New York, New Haven & Hartford R. R. Co.....	Orange, Ulster, Dutchess, and Columbia Counties, N. Y., Hartford and Litchfield Counties, Conn., and Hampden County, Mass.....	262. 120
Northwestern Terminal R. R. Co.....	Denver and Adams Counties, Colo.....	7. 830
Oregon-Washington R. R. & Navigation Co.....	Nez Perce, Clearwater, and Idaho Counties, Idaho.....	106. 960
Peoria Terminal Co.....	Tazewell and Peoria Counties, Ill.....	7. 690
Quanah, Acme & Pacific Ry. Co.....	Motley County, Tex.....	8. 470
Smoky Mountain R. R.....	Knox and Sevier Counties, Tenn.....	27. 800
South Omaha Terminal Ry. Co.....	Douglas County, Nebr.....	33. 868
Southern Pacific Co.....	Fresno County, Calif.....	17. 600
Do.....	Benton, Clackamas, Douglas, Josephine, Jackson, Land, Linn, Marion, Multnomah, Polk, Washington, and Yamhill Counties, Oreg.....	685. 060
Spokane, Coeur d'Alene & Palouse Ry. Co.....	Spokane and Whitman Counties, Wash., and Kootenai and Latah Counties, Idaho.....	179. 030
Stockton Terminal & Eastern R. R.....	San Joaquin County, Calif.....	21. 218
Toledo, Peoria & Western R. R. Corporation.....	Iroquois, Ford, Livingston, McLean, Woodford, Tazewell, Peoria, Fulton, McDonough Hancock, and Henderson Counties, Ill.....	230. 300
Trans Florida Central R. R. Co.....	Indian River County, Fla.....	10. 000
Union Belt of Detroit.....	Wayne County, Mich.....	30. 000
Wichita Falls & Southern R. R. Co.....	Wichita County, Tex.....	3. 210
Total number of miles.....		2, 809. 626

AUTHORIZATIONS OF CONTROL OF ONE CARRIER BY ANOTHER CARRIER UNDER PARAGRAPH (2) OF SECTION 5 OF THE INTERSTATE COMMERCE ACT

Carrier acquiring control	Control acquired		
	Owning company	Miles of road	How acquired
Allegheny & Western Ry. Co. and Buffalo, Rochester & Pittsburgh Ry. Co.	Allegheny Terminal Co.	0.120	Lease and assignment of lease.
Atchison, Topeka & Santa Fe Ry. Co.	California, Arizona & Santa Fe Ry. Co.	15.000	Lease.
Atlantic Coast Line R. R. Co.	Atlanta, Birmingham & Coast R. R. Co.	640.000	Purchase of stock.
Do.	Columbia, Newberry & Laurens R. R. Co.	75.000	Do.
Do.	Washington & Vandemere R. R. Co.	40.900	Lease.
Baltimore & Ohio R. R. Co.	Cheat Haven & Bruceton R. R. Co.	6.500	Purchase of stock and operating contract.
Do.	Cincinnati, Indianapolis & Western R. R. Co.	308.630	Operating contract.
Do.	Indian Creek Valley Ry. Co.	27.000	Do.
Beaumont, Sour Lake & Western Ry. Co.	Houston North Shore Ry. Co.	26.000	Purchase of stock and lease.
Canadian Pacific Ry. Co. and Maine Central R. R. Co.	St. Johnsbury & Lake Champlain R. R. Co.	22.000	Lease and sublease.
Chartiers Southern Ry. Co.	Pennsylvania R. R. Co.	6.970	Lease.
Chesapeake & Ohio Ry. Co.	Chesapeake & Hocking Ry. Co.	63.000	Purchase of stock and lease.
Do.	Island Creek R. R. Co.	15.000	Lease.
Do.	Loop & Lookout R. R. Co.	18.970	Purchase of stock and lease.
Do.	Sewell Valley R. R. Co.	32.280	Do.
Chicago & Eastern Illinois Ry. Co.	Chicago Heights Terminal Transfer R. R. Co.	22.930	Purchase of stock.
Chicago, Rock Island & Pacific Ry. Co.	Peoria Terminal Co.	7.690	Do.
Colorado & Southern Ry. Co.	Fort Worth & Denver South Plains Ry. Co.	202.000	Do.
Denver & Rio Grande Western R. R. Co.	Goshen Valley R. R. Co.	9.050	Purchase of stock and lease.
Denver & Salt Lake Ry. Co.	Northwestern Terminal R. R. Co.	7.830	Lease and agreement.
Detroit, Grand Haven & Milwaukee Ry. Co.	Grand Rapids Terminal R. R. Co.	1.507	Lease.
Fort Worth & Denver City Ry. Co.	Fort Worth & Denver South Plains Ry. Co.	202.000	Do.
Georgia & Florida R. R. or R. Lancaster Williams.	Statesboro Northern Ry.	40.000	Do.
Grand Trunk Western Ry. Co. and Toledo, Saginaw & Muskegon Ry. Co.	Muskegon Ry. and Navigation Co.	4.830	Contracts.
Gulf, Colorado & Santa Fe Ry. Co.	Gulf & Interstate Ry. Co. of Texas.	75.840	Lease.
Do.	Gulf, Beaumont & Great Northern Ry. Co.	77.780	Do.
Do.	Gulf, Beaumont & Kansas City Ry. Co.	62.590	Do.
Gulf, Mobile & Northern R. R. Co.	Birmingham & Northwestern Ry. Co.	49.500	Purchase of stock and lease.
Do.	Jackson & Eastern Ry. Co.	33.000	Lease.
Missouri Pacific R. R. Co.	Marion & Eastern R. R. Co.	10.000	Do.
Do.	New Orleans & Lower Coast R. R. Co.	59.700	Purchase of stock.
Monongahela Ry. Co.	Baltimore & Ohio R. R. Co.	6.120	Lease.
Do.	Chartiers Southern Ry. Co.	12.940	Purchase of stock and lease.
Do.	Indian Creek & Northern Ry. Co.	2.600	Do.
Do.	Pennsylvania R. R. Co.	6.970	Assignment of lease.
New Orleans, Texas & Mexico Ry. Co.	San Antonio Southern Ry. Co.	38.720	Purchase of stock.
New York Central R. R. Co.	Middleport & Northeastern Ry. Co.	2.500	Do.
New York, New Haven & Hartford R. R. Co.	Hartford & Connecticut Western R. R. Co.	122.240	Assumption of lease.
Panhandle & Santa Fe Ry. Co.	Pecos River R. R. Co.	54.270	Lease.
St. Louis-San Francisco Ry. Co.	Butler County R. R. Co.	49.520	Purchase of stock and lease.
Do.	St. Louis, Kennett & Southeastern R. R. Co.	16.940	Do.
St. Louis Southwestern Ry. Co. of Texas.	Stephenville North & South Texas Ry. Co.	105.180	Lease

AUTHORIZATIONS OF CONTROL OF ONE CARRIER BY ANOTHER CARRIER UNDER PARAGRAPH (2) OF SECTION 5 OF THE INTER-STATE COMMERCE ACT—Continued

Carrier acquiring control	Control acquired		
	Owning company	Miles of road	How acquired
Seaboard Air Line Ry. Co.....	Jacksonville, Gainesville & Gulf Ry.	56,000	Purchase of stock.
Do.....	Naples, Seaboard & Gulf Ry. Co.....	19,000	Lease.
Do.....	Tampa & Gulf Coast R. R. Co.....	78,270	Do.
Do.....	Gainesville Midland R. R. Co.....	38,000	Purchase of stock.
Southern Pacific Co.....	Central California Traction Co.....	55,000	Do.
Tennessee & North Carolina Ry. Co.	Smoky Mountain R. R.....	27,800	Lease.
Texas & New Orleans R. R. Co....	Southern Pacific Subsidiaries in Texas and Louisiana.	3,945,350	Do.
Texas & Pacific Ry. Co.....	Abilene & Southern Ry. Co.....	96,790	Purchase of stock and bonds.
Do.....	Cisco & Northeastern Ry. Co.....	28,200	Purchase of stock.
Do.....	Pecos Valley Southern Ry. Co.....	40,400	Do.
Tionesta Valley Ry. Co.....	Clarion River Ry. Co.....	12,000	Lease.
Wichita Falls & Southern R. R. Co.	Wichita Falls & Southern Ry. Co....	52,360	Purchase of stock and lease.
Do.....	Wichita Falls, Ranger & Fort Worth R. R. Co.	74,800	Purchase of stock, bonds, and lease.
Total.....		7,105,587	

AUTHORIZATION OF CONSOLIDATION OF TELEPHONE COMPANIES AND ACQUISITIONS OF TELEPHONE PROPERTIES UNDER PARAGRAPH (9) OF SECTION 407 OF THE TRANSPORTATION ACT, 1920, AS AMENDED

Bell Telephone Co. of Pennsylvania to acquire the properties of the Huntingdon & Clearfield Telephone Co., serving 5,467 subscribers, with 252 pole miles of toll lines, in Pennsylvania.

Bell Telephone Co. of Pennsylvania to acquire the properties of the Summerville Telephone Co., serving 5,089 subscribers, with 159 pole miles of toll lines, in Pennsylvania.

Bell Telephone Co. of Pennsylvania to acquire the properties of the Blairsville Telephone Co., serving 859 subscribers, with 22 pole miles of toll lines, in Pennsylvania.

Bell Telephone Co. of Pennsylvania to acquire certain properties of the Home Telephone Co. of Ridgway, serving 885 subscribers, with 86 pole miles of toll lines, and the latter company to acquire certain properties of the Bell Telephone Co. of Pennsylvania, serving 2,197 subscribers, with 13.06 pole miles of toll lines, in Pennsylvania.

Chesapeake & Potomac Telephone Co. of West Virginia to acquire the telephone properties of the Consolidated Power & Light Co., serving 155 subscribers, in West Virginia.

Chesapeake & Potomac Telephone Co. of West Virginia to acquire the properties of the Limestone Telephone Co., serving 1,100 subscribers, with 30.87 pole miles of toll lines, in West Virginia and Virginia.

Crooksville Telephone Co. to acquire certain properties of the Perry County Telephone Co., serving 182 subscribers, with 4 pole miles of toll lines, in Ohio.

Illinois Bell Telephone Co. to acquire certain properties of the Winnebago County Telephone Co., serving 1,361 subscribers, in Illinois.

Kansas City Telephone Co. to acquire the properties of the Olathe Citizens Telephone Co., serving 1,165 subscribers, with 19.5 pole miles of toll lines, in Kansas.

Lehigh Telephone Co. to acquire the properties of the Slate Belt Telephone & Telegraph Co., serving 844 subscribers, with 7.36 pole miles of toll lines, in Pennsylvania.

Michigan Bell Telephone Co. to acquire the properties of the Consolidated Telephone Co., serving 2,083 subscribers, with 106.6 pole miles of toll lines, in Michigan.

Mountain States Telephone & Telegraph Co. to acquire the properties of the Cheyenne County Telephone Co., serving 130 subscribers, with 49 pole miles of toll lines, in Colorado.

Mountain States Telephone & Telegraph Co. to acquire the properties of the Gallup Telephone Co., serving 460 subscribers, in New Mexico.

Mountain States Telephone & Telegraph Co. to acquire the telephone properties of L. H. Green and Hulda J. Green, doing business as the Green River Valley Telephone Co., serving 135 subscribers, in Utah.

Mountain States Telephone & Telegraph Co. to acquire the properties of the Meridian Independent Telephone Co., serving 210 subscribers, in Idaho.

Mountain States Telephone & Telegraph Co. to acquire the properties of the Springfield-Lamar Telephone Co. and the Holly-Stonington Telephone Co., serving 335 subscribers, with 122 pole miles of toll lines, in Colorado.

New York Telephone Co. to acquire control, by purchase of capital stock, of the Sullivan Telephone Co. (Inc.), serving 1,630 subscribers, in New York.

Pacific Telephone & Telegraph Co. to acquire the properties of the Turlock Home Telephone & Telegraph Co., serving 1,586 subscribers, in California.

Sacramento Valley Telephone Co. to acquire the telephone properties of the California Telephone & Light Co., serving 2,875 subscribers, in California.

Southern Bell Telephone & Telegraph Co. to acquire the properties of the Demopolis Telephone Co., serving 564 subscribers, in Alabama.

Southern Bell Telephone & Telegraph Co. to acquire the properties of Lenoir Electric Co., serving 594 subscribers, in North Carolina.

Southern Bell Telephone & Telegraph Co. to acquire the properties of the Murray Telephone Co., serving 354 subscribers, in Kentucky.

Southern Bell Telephone & Telegraph Co. to acquire the properties of the Oldham Telephone Co., serving 406 subscribers, in Kentucky.

Southwestern Bell Telephone & Telegraph Co. to acquire the properties of James Thompson, doing business as the Seminole Telephone Co., serving 573 subscribers, in Oklahoma.

United Telephone Co. to acquire certain properties of the Central Kansas Telephone Co., serving 376 subscribers, in Kansas.

CERTIFICATES ISSUED IN SETTLEMENT UNDER SECTION 204 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1927

Name of carrier	Gross amount due	Deductions on account of traffic balances
Benton & Fairfield.....	\$7,754.32	.....
Benwood & Wheeling Connecting.....	53,102.10	.....
Black Bayou.....	8,129.90	.....
Crystal River.....	34,524.86	.....
Fox & Illinois Union.....	8,384.51	.....
Gales Creek & Wilson River.....	3,037.90	.....
Lake Terminal.....	302,782.97	.....
Newburg & South Shore.....	235,641.40	.....
Oberlin, Hampton & Eastern.....	5,055.19	.....
United Railways.....	21,845.39	.....
Total amount certified for payment.....	680,258.54	.....

CASES DISMISSED UNDER SECTION 204 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1927

Alabama & Northwestern.
Alabama, Tennessee & Northern.
Chippewa Valley & Northern.
DeKalb & Western.
Durham & Southern.
Empire & Southeastern.
Eureka-Nevada.
Flemingsburg & Northern.
Kalamazoo, Lake Shore & Chicago.
Kanawha Central.
Marinette, Tomahawk & Western.

Midland Continental.
Missouri Southern.
Nevada Central.
Savannah & Southern.
Scotac.
Scottsdale.
Sheffield & Tionesta.
Sugar Land.
Tremont & Gulf.
Upper Merion & Plymouth.

CERTIFICATES ISSUED IN SETTLEMENT UNDER SECTION 209 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1927

Carrier	Amount ¹
Erie.....	\$349,447.87
Hampton & Branchville.....	4,768.46
Spokane, Portland & Seattle.....	89,682.24
Net amount certified for payment.....	254,997.17

¹ Figures in italics represent amounts due the United States.

CARRIERS COVERED BY SETTLEMENT CERTIFICATES ISSUED UNDER SECTION 209, TRANSPORTATION ACT, 1920, TO CONTROLLING CARRIER, DURING THE YEAR ENDED OCTOBER 31, 1927

Carrier	Controlling carrier
Chicago & Erie.....	Erie.
New York, Susquehanna & Western.....	Do.
Oregon Electric.....	Spokane, Portland & Seattle.
Oregon Trunk.....	Do.
Wilkes-Barre & Eastern.....	Erie.

CASES DISMISSED UNDER SECTION 209 OF THE TRANSPORTATION ACT, 1920, DURING THE YEAR ENDED OCTOBER 31, 1927

Elkin & Alleghany.
Pelham & Havana.

LOANS CERTIFIED TO THE SECRETARY OF THE TREASURY UNDER SECTION 210 OF THE TRANSPORTATION ACT, 1920, AS AMENDED, SINCE THE EFFECTIVE DATE OF SAID ACT; REPAYMENTS MADE ON ACCOUNT OF SUCH LOANS, AND STATUS OF THE REVOLVING FUND CREATED BY SAID SECTION

Carrier	Total loans	Total repayments	Net certified indebtedness
Akron, Canton & Youngstown.....	\$212,000.00	\$212,000.00	-----
Alabama & Vicksburg.....	1,394,000.00	1,394,000.00	-----
Alabama, Tennessee & Northern.....	489,000.00	241,250.00	\$247,750.00
Ann Arbor.....	650,000.00	650,000.00	-----
Arkansas Harbor Terminal.....	50,000.00	-----	50,000.00
Atlanta, Birmingham & Atlantic.....	200,000.00	200,000.00	-----
Baltimore & Ohio.....	¹ 8,200,000.00	8,200,000.00	-----
Bangor & Aroostook.....	² 253,100.00	253,100.00	-----
Birmingham & Northwestern.....	75,000.00	75,000.00	-----
Boston & Maine.....	26,700,479.00	7,318,500.00	19,386,979.00
Buffalo, Rochester & Pittsburg.....	1,000,000.00	1,000,000.00	-----
Cambria & Indiana.....	250,000.00	250,000.00	-----
Carolina, Clinchfield & Ohio.....	10,000,000.00	10,000,000.00	-----
Central New England.....	300,000.00	300,000.00	-----
Central of Georgia.....	237,900.00	237,900.00	-----
Central Vermont.....	193,000.00	193,000.00	-----
Charles City Western.....	140,000.00	-----	140,000.00
Chesapeake & Ohio.....	9,097,000.00	1,023,976.03	8,073,023.97
Chicago & Eastern Illinois.....	785,000.00	785,000.00	-----
Chicago & Western Indiana.....	8,000,000.00	570,000.00	7,430,000.00
Chicago Great Western.....	2,685,373.00	935,373.00	1,750,000.00
Chicago, Indianapolis & Louisville.....	200,000.00	200,000.00	-----
Chicago, Milwaukee & St. Paul.....	70,340,000.00	35,340,000.00	35,000,000.00
Chicago, Rock Island & Pacific.....	³ 11,430,540.00	11,430,540.00	-----
Cisco & Northeastern.....	236,450.00	106,400.00	130,050.00
Cowlitz, Chehalis & Cascade.....	45,000.00	45,000.00	-----
Cumberland & Manchester.....	375,000.00	375,000.00	-----
Des Moines & Central Iowa.....	633,500.00	-----	633,500.00
Erie.....	11,574,450.00	11,574,450.00	-----
Evansville, Indianapolis & Terre Haute.....	400,000.00	400,000.00	-----
Fernwood, Columbia & Gulf.....	33,000.00	13,000.00	20,000.00
Flemingsburg & Northern.....	7,250.00	7,250.00	-----
Fort Dodge, Des Moines & Southern.....	200,000.00	-----	200,000.00
Fort Smith & Western.....	156,000.00	156,000.00	-----
Gainesville & Northwestern.....	75,000.00	-----	75,000.00
Georgia & Florida.....	792,000.00	-----	792,000.00
Great Northern.....	33,496,000.00	33,496,000.00	-----
Greene County.....	60,000.00	36,000.00	24,000.00
Gulf, Mobile & Northern.....	1,433,500.00	1,433,500.00	-----
Hocking Valley.....	1,665,000.00	1,665,000.00	-----
Illinois Central.....	4,440,000.00	4,440,000.00	-----
Indiana Harbor Belt.....	579,000.00	579,000.00	-----
Internation & Great Northern.....	194,300.00	194,300.00	-----
Kansas City, Mexico & Orient.....	5,000,000.00	2,500,000.00	2,500,000.00
Kansas City Terminal.....	580,000.00	580,000.00	-----
Lake Erie, Franklin & Clarion.....	25,000.00	15,000.00	10,000.00
Long Island.....	719,000.00	719,000.00	-----
Louisville & Jeffersonville Bridge & R. R.....	162,000.00	162,000.00	-----
Maine Central.....	2,373,000.00	2,373,000.00	-----

¹ Includes \$5,200,000 loaned through National Railway Service Corporation.

² Includes \$53,100 loaned through National Railway Service Corporation.

³ Includes \$1,568,540 loaned through National Railway Service Corporations.

LOANS CERTIFIED TO THE SECRETARY OF THE TREASURY UNDER SECTION 210 OF THE TRANSPORTATION ACT, 1920, ETC.—Continued

Carrier	Total loans	Total repayments	Net certified indebtedness
Minneapolis & St. Louis.....	⁴ \$1,768,190.00	\$53,182.54	\$1,715,007.46
Missouri & Northern Arkansas.....	3,500,000.00		3,500,000.00
Missouri, Kansas & Texas of Texas.....	450,000.00	450,000.00	
Missouri Pacific.....	10,071,760.00	10,071,760.00	
New Orleans, Texas & Mexico.....	⁵ 1,160,000.00	1,160,000.00	
New York Central.....	26,775,000.00	26,775,000.00	
New York, New Haven & Hartford.....	27,530,000.00	4,950,000.00	22,580,000.00
Norfolk Southern.....	1,666,000.00	249,600.00	1,416,400.00
Northern Pacific.....	6,000,000.00	6,000,000.00	
Pennsylvania.....	12,480,000.00	12,480,000.00	
Peoria & Pekin Union.....	1,799,000.00	1,799,000.00	
Rutland.....	61,000.00	61,000.00	
Salt Lake & Utah.....	1,000,000.00	127,400.00	872,600.00
Seaboard Air Line.....	⁶ 19,857,400.00	2,508,512.16	17,348,887.84
Shearwood.....	29,000.00	11,500.00	17,500.00
Tampa Northern.....	100,000.00	100,000.00	
Tennessee Central.....	1,500,000.00	1,500,000.00	
Terminal Railroad Association of St. Louis.....	896,925.00	896,925.00	
Toledo, St. Louis & Western.....	692,000.00	276,000.00	416,000.00
Trans-Mississippi Terminal.....	1,000,000.00	1,000,000.00	
Virginia Blue Ridge.....	106,000.00		106,000.00
Virginia Southern.....	38,000.00		38,000.00
Virginian.....	2,000,000.00	2,000,000.00	
Waterloo, Cedar Falls & Northern.....	1,320,000.00	60,000.00	1,260,000.00
Western Maryland.....	3,422,800.00	3,422,800.00	
Wheeling & Lake Erie.....	⁷ 6,764,000.00	3,915,125.38	2,848,874.62
Wichita Northwestern.....	381,750.00		381,750.00
Wilmington Brunswick & Southern.....	90,000.00		90,000.00
Total.....	350,600,667.00	221,547,344.11	129,053,322.89

⁴ Includes \$386,190 loaned through National Railway Service Corporation.

⁵ Includes \$926,000 loaned through National Railway Service Corporation.

⁶ Includes \$4,400,000 loaned through Seaboard Bay-Line Co.

⁷ Includes \$3,304,000 loaned through National Railway Service Corporation.

STATUS OF REVOLVING FUND

Appropriation.....	\$300,000,000.00
Accrued interest and repayment of principal paid to Oct. 31, 1927.....	297,106,838.39
Total.....	597,106,838.39
Tentatively reserved for claims, judgments, etc., arising out of Federal control.....	40,000,000.00
Balance available for loans.....	557,106,838.39
Total loans certified.....	350,600,667.00
Unencumbered balance.....	206,506,171.39

PAYMENTS MADE BY CARRIERS OF ONE-HALF OF THEIR EXCESS NET RAILWAY OPERATING INCOME, AS PRELIMINARILY COMPUTED, UNDER PARAGRAPH (6) OF SECTION 15a OF THE INTERSTATE COMMERCE ACT, DURING THE YEAR ENDED OCTOBER 31, 1927

Name of carrier	Year to which applicable			Total
	1922	1923	1926	
Atlantic & Carolina R. R. Co.....			\$364.57	\$364.57
Augusta Northern Ry. Co.....			18.54	18.54
Birmingham Southern R. R. Co.....	\$5,036.40			5,036.40
Cornwall R. R. Co.....			1,303.18	1,303.18
Detroit & Toledo Shore Line R. R. Co.....			15,229.73	15,229.73
Duluth, Missabe & Northern Ry. Co.....			366,777.60	366,777.60
Genesee & Wyoming R. R. Co.....			47,323.03	47,323.03
Hutchinson & Northern Ry. Co.....		\$154.25		154.25
Jonesboro, Lake City & Eastern R. R. Co.....	24,920.59	17,529.41		42,450.00
Kanawha, Glen Jean & Eastern R. R. Co.....			5,460.88	5,460.88
Steelton & Highspire R. R. Co.....			9,739.71	9,739.71
Unity Railways Co.....			27,613.37	27,613.37
Warrenton R. R. Co.....			1,410.51	1,410.51
Total.....	29,956.99	17,683.66	475,241.12	522,881.77

APPENDIX G

STATISTICAL COMPILATIONS COVERING INSTALLATIONS OF TRAIN-STOP OR TRAIN-CONTROL DEVICES MADE BY THE CARRIERS UNDER THE ORDERS OF JUNE 13, 1922, AND JANUARY, 14, 1924, DOCKET NO. 13413, AND ADDITIONAL INSTALLATIONS MADE VOLUNTARILY BY CERTAIN CARRIERS

COMPLETED INSTALLATIONS, FIRST ORDER

The following is a list of the 43 installations made under our order of June 13, 1922, which have been completed to date:

Carriers	Miles equipped		Locomotives equipped	Device
	Road	Track		
A., T. & S. F. -----	102.2	204.0	88	Union continuous 3-speed.
A. C. L. -----	119.8	233.6	48	General auto-manual train-stop.
B. & O. -----	34.6	77.6	140	Do.
B. & A. -----	101.6	234.4	115	Do.
B. & M. -----	99.5	203.9	132	Union continuous train-stop.
C. R. R. of N. J. -----	65.6	65.6	48	Union continuous 3-speed.
C. & O. -----	70.0	70.0	66	Union intermittent induction train-stop.
C. & E. I. -----	106.0	212.0	116	Miller intermittent electrical contact train-stop.
C. & N. W. -----	149.0	298.0	108	General continuous 2-speed.
C., B. & Q. -----	82.1	139.8	59	Sprague intermittent magnetic train-stop.
C., I. & L. -----	63.6	63.6	32	Do. ¹
C., M. & St. P. -----	108.1	216.2	59	Union continuous train-stop.
C., R. I. & P. -----	165.5	330.8	102	Regan intermittent electrical contact 2-speed.
C., N. O. & T. P. -----	157.0	236.0	102	General auto-manual train-stop.
C., C. & St. L. -----	125.7	195.8	74	Do.
D. & H. -----	116.2	120.9	66	Do.
D., L. & W. -----	141.0	282.0	68	Union continuous 2-speed.
Erie -----	104.0	208.0	95	General auto-manual train-stop.
G., H. & S. A. -----	50.7	50.7	40	National intermittent magnetic train-stop.
G. N. -----	120.3	142.6	40	Sprague intermittent magnetic train-stop.
I. C. -----	121.8	243.6	59	Union continuous train-stop.
L. V. -----	65.6	175.0	150	General auto-manual train-stop.
L. I. -----	20.8	32.8	² 151	Union continuous coded train-stop.
L. & N. -----	162.0	162.0	48	Union continuous 2-speed.
M. C. -----	72.6	145.3	100	General auto-manual train-stop.
M. P. -----	50.0	50.0	39	National intermittent magnetic train-stop.
N. Y. C. -----	145.1	553.1	479	General auto-manual train-stop.
N. Y., C. & St. L. -----	139.7	154.9	57	Union intermittent induction train-stop.
N. Y., N. H. & H. -----	59.8	119.6	60	Union and General continuous train-stop.
N. & W. -----	106.1	106.1	38	Union continuous 3-speed.
N. P. -----	109.6	109.6	34	Sprague intermittent magnetic train-stop.
O-W. R. R. & N. -----	83.6	86.1	33	Union continuous 2-speed.
Pennsylvania -----	81.7	163.4	152	Union continuous train-stop. ³
P. M. -----	60.8	62.4	29	General auto-manual train-stop.
P. & L. E. -----	64.9	235.6	116	Union intermittent induction train-stop.
P., C. & St. L. -----	187.2	351.5	122	Union continuous coded train-stop.
Reading -----	55.2	113.0	52	Union continuous 3-speed.
R., F. & P. -----	101.6	203.2	67	Union continuous 2-speed.
St. L.-S. F. -----	40.0	44.4	38	National intermittent magnetic train-stop.
Southern -----	152.1	304.2	65	General auto-manual train-stop.
S. P. -----	75.6	100.1	146	National intermittent magnetic train-stop.
U. P. -----	102.0	204.0	95	Union continuous 2-speed.
W. J. & S. S. -----	56.2	112.4	131	Union continuous coded train-stop.

¹ Being changed to Miller intermittent induction train-stop.

² Includes 147 multiple unit cars.

³ Being changed to Union continuous coded train-stop.

UNFINISHED INSTALLATION, FIRST ORDER

The carrier which has not yet completed its installation under the first order is the Chicago & Alton Railroad, now in receivership.

Carrier	Miles to equip		Miles equipped		Locomotives		Device
	Road	Track	Road	Track	To equip	Equipped to date	
C. & A. -----	125.6	229.1	85.6	147.1	46	34	National intermittent magnetic train stop.

SUMMARY OF PROGRESS, FIRST ORDER

Under the order of June, 1922, all carriers to November 1, 1927:

Total road-miles to be equipped	4,322.1 (7,646.9 track-miles)
Total road-miles equipped	4,282.1 (7,564.9 track-miles)
Balance to be equipped, road-miles	40.0 (82.0 track-miles)
Total number of locomotives to be equipped	3,905
Total number of locomotives equipped	3,893
Balance to be equipped, locomotives	12
Percentage of total road-miles equipped	99.0
Percentage of total locomotives equipped	99.6

INSTALLATIONS APPROVED, FIRST ORDER

To date, all of the installations required by our first order have been approved by us except the following:

Chicago & Alton Railroad Co.
 Cleveland, Cincinnati, Chicago & St. Louis Railway.
 Long Island Railroad.
 New York, New Haven & Hartford Railroad Co.
 Pennsylvania Railroad.
 Pittsburgh, Cincinnati, Chicago & St. Louis Railroad.
 Richmond, Fredericksburg & Potomac Railroad.
 West Jersey & Seashore Railroad.

COMPLETED INSTALLATIONS, SECOND ORDER

Following is a list of the 27 installations made under the order of January 14, 1924, which have been completed to date:

Carriers	Miles equipped		Locomotives equipped	Device
	Road	Track		
A., T. & S. F.	72.9	145.8	(1)	Union continuous 2-speed.
A. C. L.	171.3	344.6	83	General auto-manual train-stop.
B. & O.	92.5	185.0	90	Do.
B. & A.	97.2	250.7	117	Do.
C. & O.	55.0	55.0	(1)	Union intermittent induction train-stop.
C. & E. I.	35.6	71.2	37	Miller intermittent electrical contact train-stop.
C. & N. W.	207.0	414.0	104	General continuous 2-speed.
C., B. & Q.	81.6	107.4	44	Sprague intermittent magnetic train-stop.
C., M. & St. P.	104.0	206.1	31	Union continuous train-stop.
C., R. I. & P.	171.8	233.7	43	Regan intermittent electrical contact 2-speed.
C., N. O. & T. P.	175.0	259.0	76	General auto-manual train-stop.
C., C., C. & St. L.	109.4	181.1	16	Do.
G., H. & S. A.	120.0	120.0	19	National intermittent magnetic train-stop.
G. N.	109.0	113.3	227	Sprague intermittent magnetic train-stop.
I. C.	97.5	97.5	42	Union continuous train-stop.
L. & N.	136.2	140.4	44	Do.
M. C.	116.8	233.6	99	General auto-manual train-stop.
N. Y. C.	180.8	704.1	362	Do.
N. & W.	132.6	132.6	48	Union continuous 3-speed.
N. P.	106.0	106.0	6	Sprague intermittent magnetic train-stop.
P. M.	74.6	86.2	44	General auto-manual train-stop.
Pennsylvania	130.4	490.2	293	Union continuous coded train-stop.
P., C., C. & St. L.	157.4	374.8	306	Do.
St. L.-S. F.	66.1	71.0	70	National intermittent magnetic train-stop.
S. P.	125.4	125.4	66	Do.
Southern	151.9	303.8	40	General auto-manual train-stop.
U. P.	123.0	246.0	34	Union continuous 2-speed.

¹ Locomotives equipped under first order run over second division.² Includes two gas-electric cars.

UNFINISHED INSTALLATIONS, SECOND ORDER

Following is information as to progress made to November 1, 1927, under our order of January 14, 1924, where installations have not been completed:

Carrier	Miles to equip		Miles equipped		Locomotives		Device
	Road	Track	Road	Track	To equip	Equipped to date	
C. R. R. of N. J.	49.2	98.4	15.9	35.8	75	24	Union continuous coded train stop.
C., I. & L.	95.1	95.1	89.0	89.0	18	11	Miller intermittent induction train stop.
D. & H.	77.0	154.0	77.0	154.0	95	46	General auto-manual train stop.
D., L. & W.	115.5	262.9	57.7	131.4	130	4	Union continuous 2-speed.
Erie.	141.0	282.0	141.0	282.0	40	28	General auto-manual train stop.
L. V.	214.4	484.6	214.4	484.6	175	144	Do.
L. I.	25.0	50.0	12.5	25.0	160	60	Union continuous coded train stop.
N. Y., N. H. & H.	111.0	222.0	50.0	100.0	146	130	Do.
Reading.	45.8	91.6	13.7	27.4	80	12	Union continuous coded 2-speed.

¹ Includes 150 multiple unit cars.

SUMMARY OF PROGRESS, SECOND ORDER

Under the order of January, 1924, all carriers to November 1, 1927:

Total road miles to be equipped.....	4,075.0	(7,539.1 track miles)
Total road miles equipped.....	3,872.2	(7,127.7 track miles)
Balance to be equipped, road miles.....	202.8	(411.4 track miles)
Total number of locomotives to be equipped.....	3,060	
Total number of locomotives equipped.....	2,600	
Balance of locomotives to be equipped.....	460	
Percentage of total road miles equipped.....	95.0	
Percentage of total locomotives equipped.....	85.0	

SUMMARY OF PROGRESS, BOTH ORDERS

The progress made to November 1, 1927, on the installation of automatic train-stop or train-control devices by all carriers under both orders of the commission is as follows:

Total road miles to be equipped.....	8,397.1	(15,186.0 track miles)
Total road miles equipped.....	8,154.3	(14,692.6 track miles)
Balance to be equipped.....	242.8	(493.4 track miles)
Total locomotives to be equipped.....	6,965	
Total locomotives equipped.....	6,493	
Balance to be equipped.....	472	
Percentage of total road miles equipped.....	97.1	
Percentage of total locomotives equipped.....	93.2	

INSTALLATIONS APPROVED, SECOND ORDER

To date, all of the installations required by our second order have been approved by us except the following:

Atchison, Topeka & Santa Fe Railway System.
 Baltimore & Ohio Railroad Co.
 Central Railroad Co. of New Jersey.
 Chicago & North Western Railway Co.
 Chicago, Indianapolis & Louisville Railway.
 Chicago, Milwaukee & St. Paul Railway.
 Cleveland, Cincinnati, Chicago & St. Louis Railway.
 Delaware & Hudson Co.
 Delaware, Lackawanna & Western Railroad Co.
 Erie Railroad.
 Galveston, Harrisburg & San Antonio Railway.
 Lehigh Valley Railroad Co.
 Long Island Railroad.
 Louisville & Nashville Railway Co.
 New York, New Haven & Hartford Railroad Co.
 Norfolk & Western Railway Co.
 Pennsylvania Railroad.
 Pittsburgh, Cincinnati, Chicago & St. Louis Railroad.
 Reading Co.

FOREIGN LOCOMOTIVES EQUIPPED

Below is shown as of November 1, 1927, the number of foreign locomotives not otherwise reported which have been equipped with train-stop or train-control devices for operation over installations of other carriers made under the orders issued in Docket No. 13413.

Order	Home road	Foreign road	No. of loco-motive	Territory traversed	Miles of road
First.....	A. C. L.....	N. & W.....	7	Petersburg, Va., to Richmond, Va.	27.0
Second.....	A. C. L.....	Southern.....	8	Selma, N. C., to Rocky Mount, N. C.	41.8
Second.....	B. & O.....	Reading.....	9	Park Junction (Philadelphia), to Wilmington, Del.	27.5
First.....	C. & E. I.....	E., J. & E.....	30	Chicago Heights, Ill., to Danville, Ill.	81.0
First.....	C. & N. W.....	C., St. P., M. & O.....	2	Missouri Valley, Iowa, to Council Bluffs, Iowa.	22.0
Second.....	C., C., C. & St. L.....	C. & E. I.....	31	Pana, Ill., to Lenox, Ill.	70.6
First.....	L. & N.....	Southern.....	4	Lot, Ky., to Holton, Tenn.	4.6
Second.....	N. Y. C.....	Pennsylvania.....	38	Girard Junction, Pa., to Erie, Pa.	17.0
First.....	N. Y., C. & St. L.....	C. & O.....	26	Hammond, Ind., to Stony Island, Ill.	8.7
Second.....	N. & W.....	C. & O.....	4	Glasgow, Va., to Lock Laird, Va.	9.0
First.....	P. & L. E. ¹	Erie.....	7	Youngstown, Ohio, to Pittsburgh, Pa.	64.2
First.....	Reading.....	C. R. R. of N. J.....	(²)	Winslow Junction, N. J., to Atlantic City, N. J.	31.0
Second.....	St. L.-S. F.....	M. K. T.....	2	Monett, Mo., to Afton, Okla.	66.1

¹ In addition to the above, approximately 13 New York Central locomotives equipped with General Railway Signal Co.'s automanual device and running over New York Central train-control territory also operate over the train-control equipped territory of the Pittsburgh & Lake Erie.

² All of the Central Railroad of New Jersey equipped locomotives operate over the equipped tracks of the Reading Company as indicated.

INSTALLATIONS MADE VOLUNTARILY

Following is information concerning such completed installations of train-stop and train-control devices as have been made voluntarily by the carriers in addition to those required by the orders issued in Docket No. 13413.

Carrier	Miles of road equipped	Loco-motives equipped	Between—	Devices
M. C.....	78.5	48	Niles, Mich., and Kensington, Ill.....	General auto-manual train-stop.
Southern.....	484.0	93	Ooltewah, Tenn., and Jacksonville, Fla.....	Do.
Do.....	269.6	129	Salisbury, N. C., and Knoxville, Tenn.....	Do.
Do.....	489.4	110	Chattanooga, Tenn., and New Orleans, La.	Do.

FALSE-CLEAR OPERATIONS OF TRAIN-STOP AND TRAIN-CONTROL DEVICES

The following tabulation shows by types of devices, miles of road equipped or to be equipped, and relative percentages, the false-clear train-stop or train-control operations reported by the carriers for the period November, 1926, to October, 1927, both inclusive:

Train-stop or train-control devices involved	Miles equipped or to be equipped	Percent-age of total miles	Loco-motives equipped or to be equipped	Percent-age of total loco-motives	False-clear failures	Percent-age of total false-clear failures
Union continuous induction 3-speed.....	534.6	6.4	274	3.9	3	8.8
Union continuous induction 2-speed.....	772.9	9.2	488	7.0	4	11.8
Union continuous train-stop.....	1,647.4	19.6	2,000	28.7	16	47.1
General continuous induction 2-speed.....	356.0	4.2	212	3.1	1	2.9
General continuous induction train stop.....	0.0	0.0	30	.4	0	
General auto-manual train stop.....	2,857.0	34.0	2,700	38.8	4	11.8
Union intermittent induction train stop.....	329.6	3.9	239	3.4	1	2.9
National magnetic induction train stop.....	653.4	7.8	464	6.7	3	8.8
Sprague magnetic induction train stop.....	608.6	7.2	210	3.0	0	
Miller intermittent electrical contact train stop.....	141.6	1.7	153	2.2	2	5.9
Miller intermittent induction train stop.....	158.7	2.0	50	.7	0	
Regan intermittent electrical contact train stop.....	337.3	4.0	145	2.1	0	

INSTALLATIONS BY TYPES, BOTH ORDERS

Make	Type			Total installations
	Intermittent electrical contact	Inter-mittent induction	Continuous induction	
General.....		24	{ 1 (stop)..... 2 (2-speed)..... }	27
Miller.....	2	2		4
National.....		8		8
Regan.....	2 (2-speed).....			2
Sprague.....		6		6
Union.....		4	{ 6 (3-speed)..... 7 (2-speed)..... 1 (coded 2-speed)..... 7 (stop)..... 9 (coded stop)..... }	34
Total.....	4.....	44	33.....	81

Train-stop installations, 64; train-control installations, 17; the General and the Union continuous stop, both being in service on the New York, New Haven & Hartford Railroad.

SUMMARY BY TYPES OF DEVICES, BOTH ORDERS

The following indicates the relative extent to which the four general types shown have been installed:

Device	Miles of—		Percentage		Loco-motives	Per cent
	Road	Track	Road	Track		
Continuous induction.....	3,310.9	6,139.7	39.4	40.4	3,004	43.1
Intermittent induction.....	3,345.3	6,625.6	39.9	43.6	2,989	42.9
Magnetic induction.....	1,262.0	1,573.0	15.0	10.4	674	9.7
Intermittent electrical contact.....	478.9	847.7	5.7	5.6	298	4.3

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